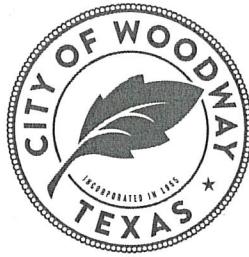


PUBLIC NOTICE OF MEETING



WOODWAY CITY COUNCIL

APRIL 26, 2021 – 5:30 P.M.

TAKE NOTICE THAT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF WOODWAY, TEXAS, WILL BE HELD IN THE DONALD J. BAKER COUNCIL CHAMBERS AT WOODWAY CITY HALL, 922 ESTATES DRIVE, WOODWAY, TEXAS, COMMENCING AT 5:30 P.M. ON MONDAY, APRIL 26, 2021, TO CONSIDER AND ACT UPON ANY LAWFUL SUBJECT WHICH MAY COME BEFORE IT INCLUDING, AMONG OTHERS, THE ITEMS LISTED BELOW.

TO MITIGATE THE SPREAD OF COVID-19, THIS MEETING WILL BE CLOSED TO IN-PERSON ATTENDANCE BY THE PUBLIC. SOME COUNCILMEMBERS WILL ATTEND IN PERSON WHILE OTHERS MAY ATTEND VIRTUALLY VIA ZOOM. CITIZENS MAY JOIN THE ZOOM MEETING BY CALLING 1-888-475-4499, ENTERING THE MEETING ID #9926081325 AND THE PASSWORD 905053.

THE PUBLIC WILL BE PERMITTED TO SUBMIT WRITTEN COMMENTS ON ITEMS LISTED ON THE AGENDA OR UNDER THE HEAR VISITORS SECTION. PLEASE EMAIL YOUR COMMENT TO PUBLCOMMENTS@WOODWAYMAIL.ORG NO LATER THAN 3:00 P.M. ON THE DAY OF THE CITY COUNCIL MEETING.

AGENDA

CALL MEETING TO ORDER

INVOCATION

1. Invocation

PRESENTATIONS AND VISITORS

2. Hear visitors

This is the portion of the meeting where members of the public may be heard by the Council on any matter which is NOT listed as a separate item on the agenda. If you wish to address an item which is listed on the agenda for this meeting, you will be given an opportunity to speak during consideration of that agenda item.

If speaking during "Hear Visitors", please read: *When called to speak, please state your name and address before beginning your comments. Please limit your comments to three (3) minutes per Resolution R-87-11. Under Texas law, the Council and staff are not allowed to enter into a discussion with you or among themselves during this meeting, or take any action other than to provide specific factual information or a recitation of existing applicable policy and, or, discuss whether to place the matter on a future Council agenda. Thank you for your cooperation and understanding.*

WOODWAY CITY COUNCIL AGENDA

Page 2

April 26, 2021 - 5:30 P.M.

3. Presentation and recognition of retiring Volunteer Firefighters/Reserve Officers, Ray Dobbs and Denny Stapleton
4. Presentation and recognition of outgoing City Councilmember, Vic Sober
5. Presentation of Life Saving Award to Sergeant Mark Harter and Corporal Ryan Murry
6. Quarterly presentation – Finance Department
7. Quarterly presentation – Public Safety Department

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

8. Discussion and consider action on request for approval of final replat of Rainbow Lake Addition, Lot 68, Block A to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43 – 46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Mary Anne Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas
9. Discussion and consider action on approving Bond Counsel engagement with Germer PLLC
10. Presentation by financial advisor/bond counsel on proposed Tax & Revenue Certificates of Obligation, Series 2021
11. Discussion and consider action on Ordinance 21-02 Authorizing and Approving Publication Of Notice Of Intention To Issue City Of Woodway, Texas Tax & Revenue Certificates Of Obligation, Series 2021 (The "Certificates") in a maximum principal amount not to exceed \$18,600,000; Authorizing the Mayor, City Manager, City Clerk, City Staff, City Financial Advisors, Legal Counsel and Bond Counsel to take all actions deemed necessary in connection with the Issuance and Sale of Such Certificates; and providing an effective date
12. Discussion and consider action on mowing the field at Whitehall Park prior to the end of blooming season for bluebonnets and other wildflowers

CONSENT AGENDA

The Consent Agenda consists of non-controversial, routine and budgeted items which require no public hearing. The Consent Agenda is subject to being approved with one single motion; however, the Mayor or any City Councilmember may remove any item from the Consent Agenda for separate discussion and consideration.

13. A. Discussion and consider action on minutes of the regular City Council meeting held April 12, 2021, at 5:30 p.m.
- B. Discussion and consider action on approving expenditure in the amount of \$35,285.78 to RBDR Architects for designs and civil engineering/surveying charges for a new Woodway Family Center

WOODWAY CITY COUNCIL AGENDA

Page 3

April 26, 2021 - 5:30 P.M.

- C. Discussion and consider action on adopting Resolution R-21-04, finding that Oncor Electric Delivery Company LLC's Application for Approval to Amend its Distribution Cost Recovery Factor to Increase Distribution Rates within the City should be Denied; Authorizing Participation with OCSC; Authorizing the Hiring of Legal Counsel and Consulting Services; Finding that the City's Reasonable Rate Case Expenses shall be Reimbursed by the Company
 - D. Discussion and consider action on approving the purchase and installation of an emergency warning siren near new development around Ritchie and Old McGregor Road
 - E. Discussion and consider action on Resolution R-21-05, declaring property excess to the City's needs and authorizing the disposal of same
 - F. Discussion and consider action approving rate increase of two percent (2%) to the base residential rate for year five (5) of the contract between the City and Frontier Access, LLC for waste collection
14. Discussion and consider action on Consent Agenda.

CITY MANAGER AND CITY COUNCIL REPORTS

- 15. City Manager's Report (Briefings or updates may be provided regarding City services, administrative/personnel matters, real estate/development, infrastructure, events, regulations, community and intergovernmental relations issues)
- 16. City Council Reports (Briefings or updates may be provided regarding City Council committee and liaison assignments)

CLOSING ITEM

- 17. Consider action on adjournment

I certify that the above notice of meeting was posted at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on the 23rd day of April 2021 at 5:00 p.m.


Donna Barkley, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (254) 772-4480 or FAX (254) 772-0695 for further information.

City of Woodway

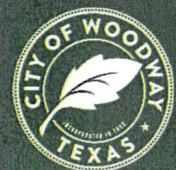
Financial/Performance Report

Six Months Ended March 31, 2021

City Manager
Dr. Shawn Oubre

Assistant City Manager
Dr. Lenny Caballero

Finance Director
William Klump



General Fund Revenues

REVENUE SOURCE	FY 2021			FY 2020		
	BUDGET	YTD	%	BUDGET	YTD	%
PROPERTY TAXES						
1 Property Taxes	\$5,128,266	\$5,077,336	99%	\$4,817,300	\$4,678,790	97%
Delinquent Property Taxes	15,000	18,498	123%	17,000	19,294	113%
Interest & Penalties	15,000	12,758	85%	10,000	11,969	120%
Total Property Taxes	\$5,158,266	\$5,108,592	99%	\$4,844,300	\$4,710,053	97%
SALES TAX						
Sales Tax (1%)	\$1,866,667	\$1,079,535	58%	\$1,866,667	\$929,582	50%
Sales Tax (.5%)	933,333	539,768	58%	933,333	464,791	50%
Sales Tax Rebates	0	0	0%	0	0	0%
Total Sales Tax	\$2,800,000	\$1,619,303	58%	\$2,800,000	\$1,394,373	50%
FRANCHISE FEES						
2 Oncor Electric Franchise	\$360,000	\$0	0%	\$360,000	\$0	0%
3 Telecommunication Franchise	25,000	9,285	37%	20,000	19,280	96%
4 Atmos Gas Franchise	140,000	138,299	99%	153,000	134,081	88%
Cable Television Franchise	135,000	63,000	47%	140,000	67,982	49%
Collection Road Use Fees	38,000	19,629	52%	36,000	19,135	53%
Total Franchise Fees	\$698,000	\$230,213	33%	\$709,000	\$240,478	34%
SANITATION CHARGES						
Residential	\$721,000	\$364,030	50%	\$710,000	\$355,181	50%
Commercial	457,000	255,221	56%	450,000	250,574	56%
Landfill Permits	0	0	0%	0	0	0%
Recycling	3,000	1,500	50%	3,000	1,500	50%
Total Sanitation Charges	\$1,181,000	\$620,751	53%	\$1,163,000	\$607,255	52%

Notes:

1: Property Taxes – Payments due by January 31 each year. Differences are due to timing of payments.

2: Oncor Electric Franchise – One annual payment received in September of each year for the year beginning in August and ending in July.

3: Telecommunication Franchise – We are no longer allowed to collect telecommunication franchise fees from companies that also provide cable television, which caused FY 2021 to be less than previous years.

4: Atmos Gas Franchise – One annual payment received in February of each year for the year beginning in January and ending in December.

General Fund Revenues (continued)

FY 2021				FY 2020		
REVENUE SOURCE	BUDGET	YTD	%	BUDGET	YTD	%
OTHER REVENUE SOURCES						
Permits	\$148,000	\$87,022	59%	\$159,000	\$87,895	55%
Court Fines	75,000	48,316	64%	95,000	43,857	46%
Misc. Court Fees	75,000	31,656	42%	90,000	35,653	40%
State Service Fees	7,500	3,638	49%	9,000	3,445	38%
Time Payment Fees	0	0	0%	0	0	0%
Grant Proceeds	0	0	0%	0	0	0%
5 Interest Income	25,000	2,508	10%	60,000	18,316	31%
Mixed Beverage Tax	1,500	3,390	226%	2,000	876	44%
Park Reservations	10,000	2,480	25%	15,000	4,218	28%
6 Arboretum Rentals	200,000	50,181	25%	245,000	97,668	40%
Animal Control Fees	1,000	475	48%	1,300	625	48%
Service Charges-Enterprise	122,040	60,695	50%	123,685	61,843	50%
Alarm Monitoring	15,000	14,374	96%	17,000	14,846	87%
Vehicle Trip Fees	0	0	0%	0	0	0%
Dispatch Services	18,000	18,000	100%	18,000	18,000	100%
School Resource Officer	125,000	63,779	51%	125,000	74,904	60%
Misc. Income	2,000	3,131	157%	5,000	852	17%
Lease Revenue	18,000	10,350	58%	18,000	9,000	50%
Arboretum Attendant/Security	5,000	0	0%	6,000	3,280	55%
Arboretum Event Sponsorship	0	0	0%	0	0	0%
Arboretum Memberships	0	0	0%	0	0	0%
Arboretum Admissions (Festival)	0	0	0%	0	0	0%
Equipment Rental – CBA	0	0	0%	0	340	
Catering – CBA	0	0	0%	0	30	
Festival Vendor Fees	0	0	0%	0	0	0%
Festival Sponsorships	0	0	0%	0	5,400	
7 Family Center Rentals	10,000	0	0%	14,000	3,150	23%
7 Family Center Sponsorships	15,000	0	0%	17,000	11,400	67%
7 Family Center Concessions	0	0	0%	7,500	3,931	52%
7 Family Center Program Fees	261,792	0	0%	253,966	107,940	43%
8 Transfer from Tourism Fund	\$375,147	0	0%	248,235	0	0%
Total Other Revenue Sources	\$1,509,979	\$399,995	26%	\$1,529,686	\$607,469	40%
TOTAL REVENUES	\$11,347,245	\$7,978,854	70%	\$11,045,986	\$7,559,628	68%

Notes:

5: Interest Income – Interest rates were higher in FY 20 than in FY 21.

6: Arboretum Rentals – FY21 is down from FY20 due to the COVID outbreak.

7: Family Center Revenues – FY21 is down from FY20 due to COVID outbreak.

8: Transfers from Tourism Fund – Transfer will be a September entry after all Hotel Occupancy Tax receipts.

General Fund Expenditures

Expenditures by Division	FY 2021			FY 2020		
	BUDGET	YTD	%	BUDGET	YTD	%
General Government						
City Secretary	\$219,274	\$107,329	49%	\$217,251	\$113,837	52%
1 Administration	723,781	333,628	46%	635,567	280,964	44%
Finance	373,380	171,915	46%	369,206	180,446	49%
2 Non-Department	200,000	86,053	43%	384,835	130,923	34%
Total General Government	\$1,516,435	\$698,925	46%	\$1,606,859	\$706,170	44%
Public Safety						
Public Safety	\$6,221,602	\$2,869,512	46%	\$5,981,779	\$2,770,077	46%
Municipal Court	225,525	95,450	42%	227,870	107,913	47%
Total Public Safety	\$6,447,127	\$2,964,962	46%	\$6,209,649	\$2,877,990	46%
Community Services						
Streets	\$505,227	\$243,292	48%	\$481,566	\$220,806	46%
Sanitation	1,023,200	502,290	49%	998,000	490,095	49%
Parks	449,814	211,306	47%	441,853	205,186	46%
Public Buildings	166,085	101,676	61%	152,197	78,622	52%
Administration/Inspections	320,693	157,710	49%	307,436	156,747	51%
Total Community Services	\$2,465,019	\$1,216,274	49%	\$2,381,052	\$1,151,456	48%
Community Programs						
Community Development	\$53,675	\$8,167	15%	\$53,675	\$6,322	12%
Youth Commission	3,050	362	12%	3,050	275	9%
Carleen Bright Arboretum	575,147	260,611	45%	499,235	216,320	43%
3 Woodway Family Center	286,792	98,133	34%	292,466	130,773	45%
Total Community Programs	\$918,664	\$367,273	40%	\$848,426	\$353,690	42%
TOTAL EXPEDITURES	\$11,347,245	\$5,247,434	46%	\$11,045,986	\$5,089,306	46%

Notes:

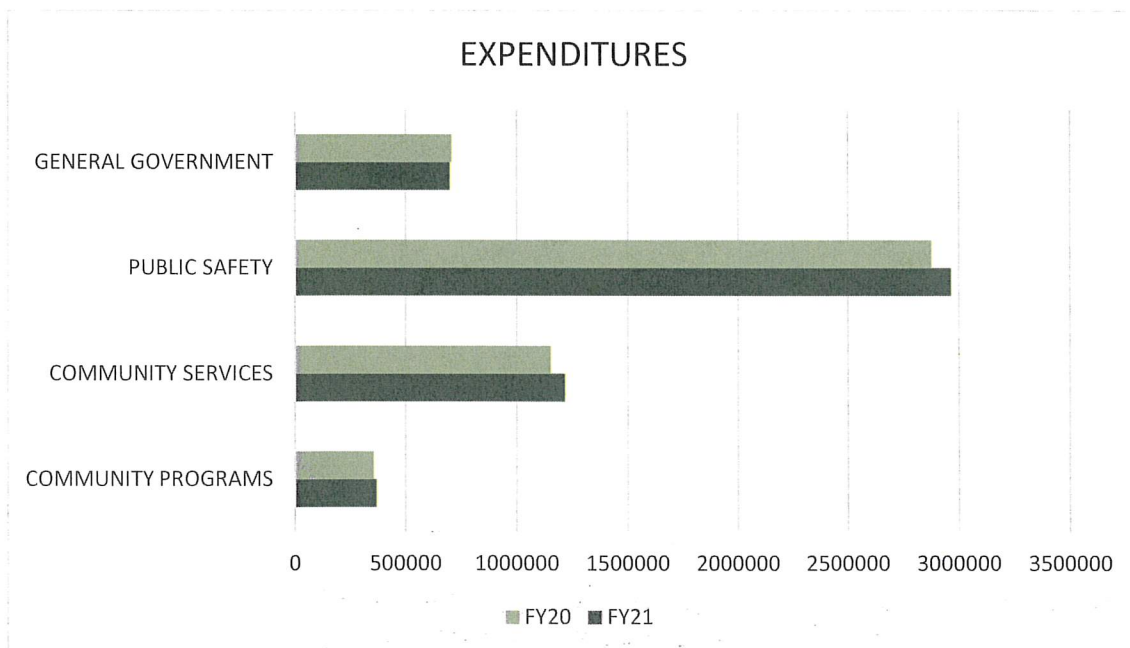
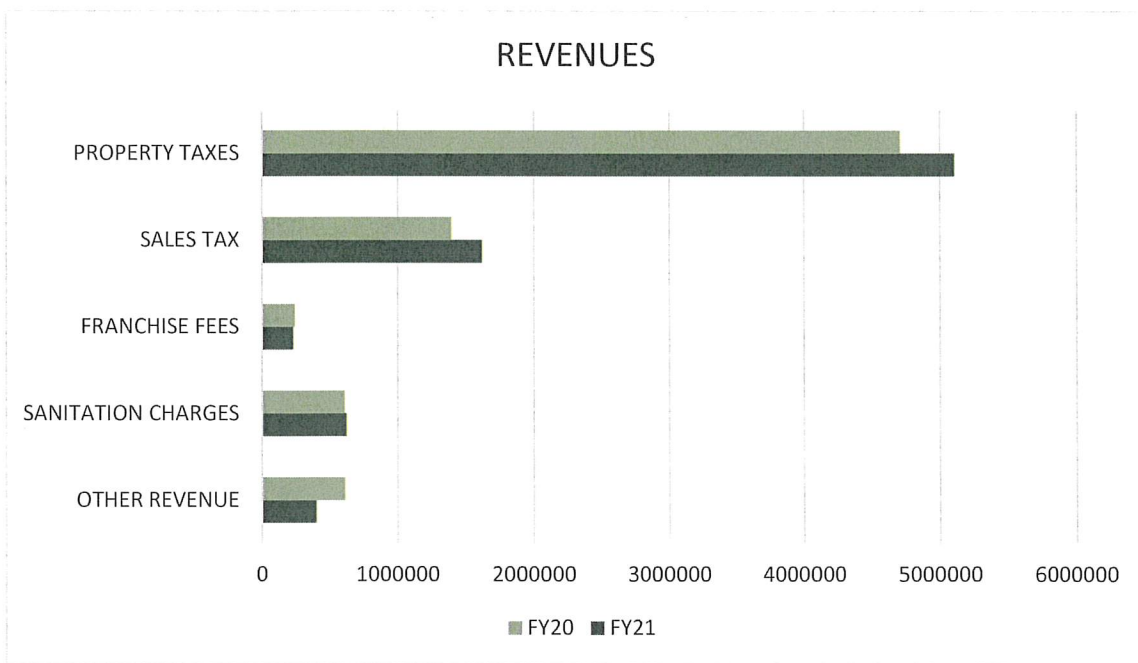
1: Administration – FY 2020 is less than FY 2021, which is primarily due to some vacant positions in FY 2020.

2: Non-Departmental – FY 2020 is more than FY 2021 due to transfers for Woodway Park restrooms in FY 2020.

3: Family Center Expenditures – FY 2021 is down from FY 2020 due to the COVID outbreak.

General Fund Comparison

YTD FY20 vs. YTD FY21



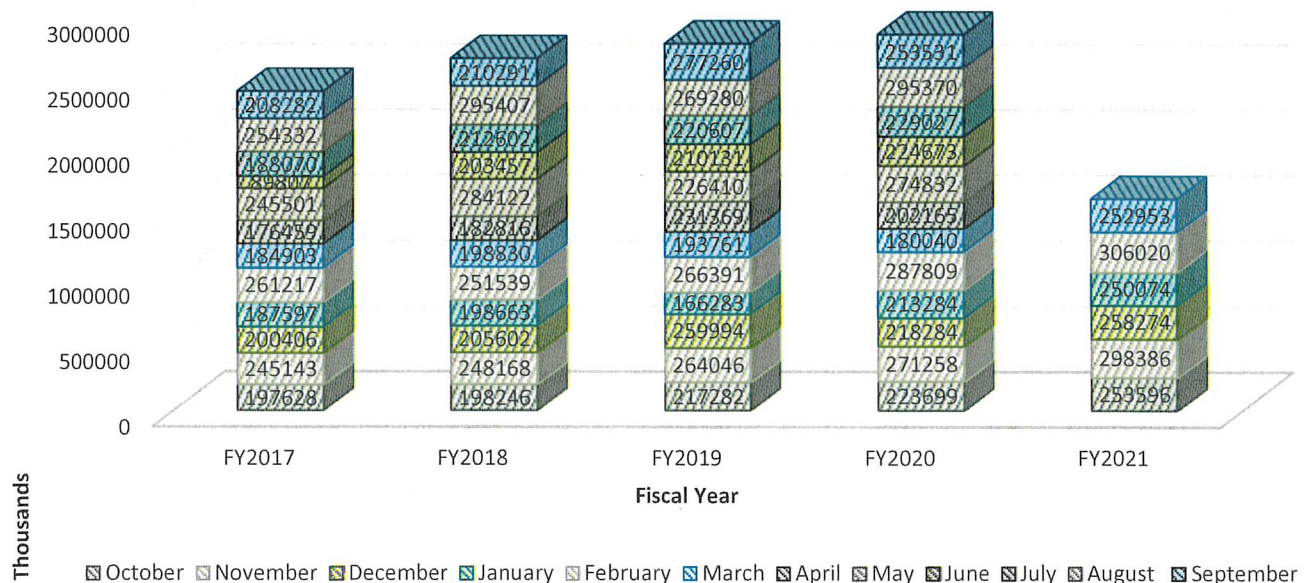
Sales & Use Tax Comparison

Sales & Use Tax Comparison

March 31, 2021

Month	Prior Year				Current Year				
	Budget	Actual	Total	%	Budget	Actual	Total	%	Budget v. Actual
October	\$217,063.65	\$223,699.28	\$223,699.28	7.78%	\$217,941.68	\$253,596.05	\$253,596.05	9.06%	\$35,654.37
November	263,780.66	271,257.57	271,257.57	9.44%	264,275.90	298,386.41	298,386.41	10.66%	34,110.51
December	259,733.56	218,284.31	218,284.31	7.60%	212,666.08	258,274.20	258,274.20	9.22%	45,608.12
January	166,115.70	213,283.56	213,283.56	7.42%	207,794.04	250,073.67	250,073.67	8.93%	42,279.63
February	266,123.27	287,808.95	287,808.95	10.01%	280,401.28	306,020.30	306,020.30	10.93%	25,619.02
March	193,566.87	180,039.69	180,039.69	6.26%	175,405.80	252,952.57	252,952.57	9.03%	77,546.77
April	231,137.12	202,164.62	202,164.62	7.03%	196,961.28				
May	226,182.63	274,832.49	274,832.49	9.56%	267,758.81				
June	209,919.89	224,673.03	224,673.03	7.82%	218,890.36				
July	220,385.49	229,026.74	229,026.74	7.97%	223,132.02				
August	269,009.69	295,369.61	295,369.61	10.28%	287,767.34				
September	276,981.47	253,530.82	253,530.82	8.82%	247,005.41				
TOTAL	\$2,800,000.00	\$2,873,970.67	\$2,873,970.67	100.00%	\$2,800,000.00	\$1,619,303.20	\$1,619,303.20	57.83%	\$260,818.42

SALES & USE TAX REVENUE COMPARISON



Utility Fund Revenues

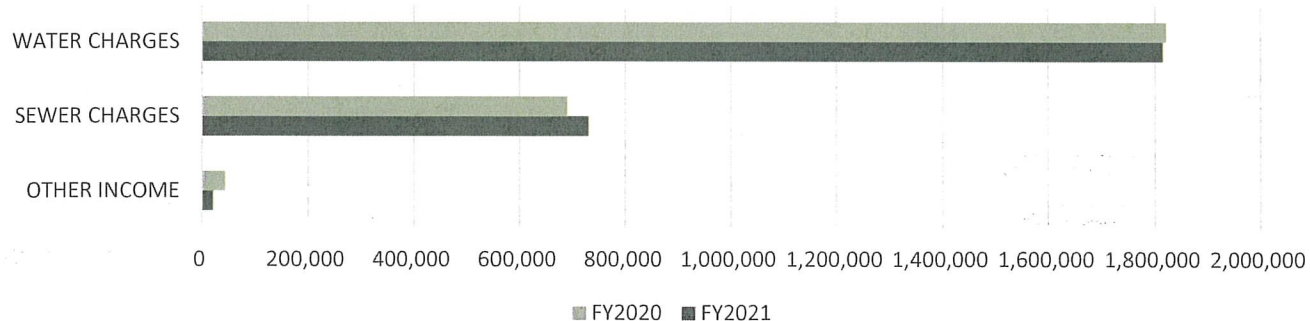
REVENUE SOURCE	FY 2021			FY 2020		
	BUDGET	YTD	%	BUDGET	YTD	%
WATER SERVICE CHARGES						
Water Sales -Residential	\$3,200,000	\$1,368,712	43%	\$3,200,000	\$1,375,992	43%
Water Sales - Commercial	660,000	328,652	50%	675,000	333,569	49%
Water Sales - Wholesale	115,200	48,000	42%	118,800	48,000	40%
1 Water Taps	22,000	35,968	163%	1,000	18,950	1895%
Reconnects & Transfers	90,000	33,110	37%	100,000	43,990	44%
Total Water Charges	\$4,087,200	\$1,814,442	44%	\$4,094,800	\$1,820,501	44%
SEWER SYSTEM CHARGES						
Sewer Charges - Residential	\$1,280,000	\$658,742	51%	\$1,300,000	\$628,712	48%
Sewer Charges - Commercial	110,000	64,536	59%	110,000	52,566	48%
Sewer Taps	11,000	6,575	60%	1,000	8,525	853%
Total Sewer Charges	\$1,401,000	\$729,853	52%	\$1,411,000	\$689,803	49%
OTHER INCOME						
Interest Income	\$5,000	\$2,101	42%	\$10,000	\$6,560	66%
2 Miscellaneous Income	43,500	18,760	43%	45,000	37,361	83%
Total Other Income	\$48,500	\$20,861	43%	\$55,000	\$43,921	80%
TOTAL INCOME	\$5,536,700	\$2,565,156	46%	\$5,560,800	\$2,554,225	46%

Notes:

1: Water Taps – The majority of these fees were recorded with building permits prior to FY2021.

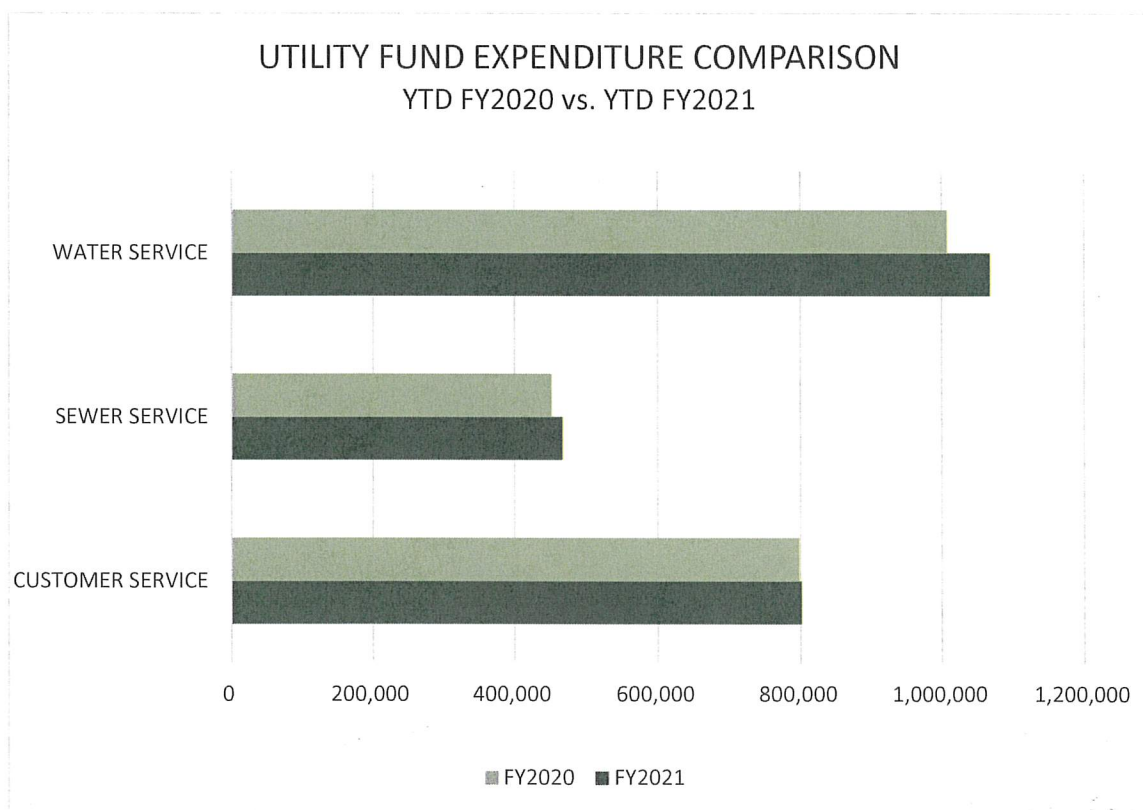
2: Miscellaneous Income – Differences are due to timing of payments for WMARSS reuse water sales.

UTILITY FUND REVENUE COMPARISON



Utility Fund Expenditures

Expenditures by Division	FY2021			FY2020		
	BUDGET	YTD	%	BUDGET	YTD	%
Water Service	\$2,659,451	\$1,067,903	40%	\$2,970,811	\$1,007,634	34%
Sewer Service	1,256,798	467,426	37%	988,091	452,158	46%
Customer Service	\$1,620,451	801,318	49%	1,601,898	797,733	50%
TOTAL EXPENDITURES	\$5,536,700	\$2,336,647	42%	\$5,560,800	\$2,257,525	41%



Water System

	FY2021	FY2020
Revenues:		
Water Sales	\$1,745,364	\$1,757,561
Water Taps	35,968	18,950
Reconnects & Transfers	33,110	43,990
Other Income (75%)	15,646	32,941
Total Revenues	\$1,830,088	\$1,853,442
Expenditures:		
Water Service	\$1,067,903	\$1,007,634
Customer Services less Debt Service (75%)	140,840	139,126
Debt Service	113,981	109,282
Total Expenditures	(\$1,322,724)	(\$1,256,042)
Excess Revenues/Expenditures	\$507,364	\$597,400

Sewer System

	FY2021	FY2020
Revenues:		
Sewer Charges	\$723,278	\$681,278
Sewer Taps	6,575	8,525
Other Income (25%)	5,215	10,980
Total Revenues	\$735,068	\$700,783
Expenditures:		
Sewer Service	\$467,426	\$452,158
Customer Services less Debt Service (25%)	46,947	46,375
Debt Service	499,550	502,950
Total Expenditures	(\$1,013,923)	(\$1,001,483)
Excess Revenues/Expenditures	(\$278,855)	(\$300,700)

Water Sales

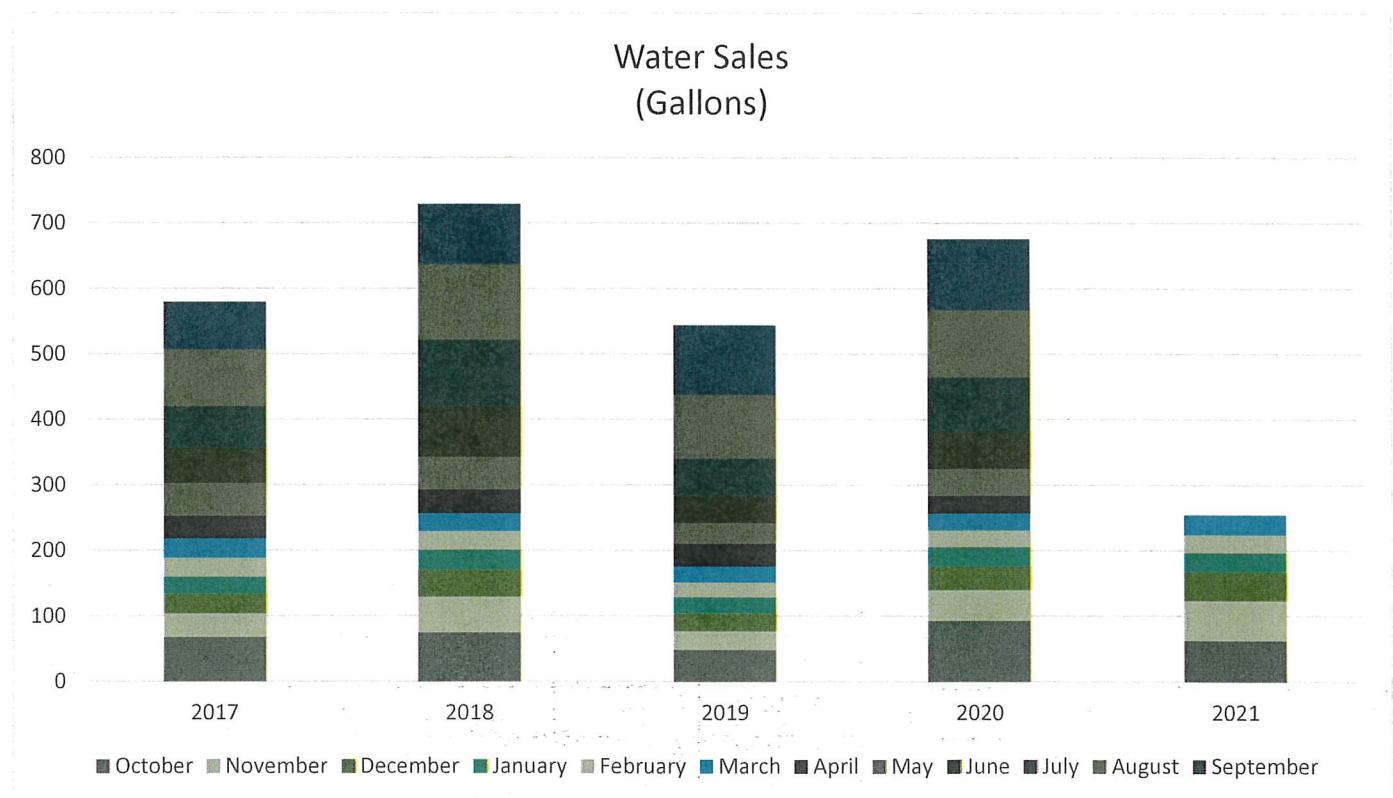
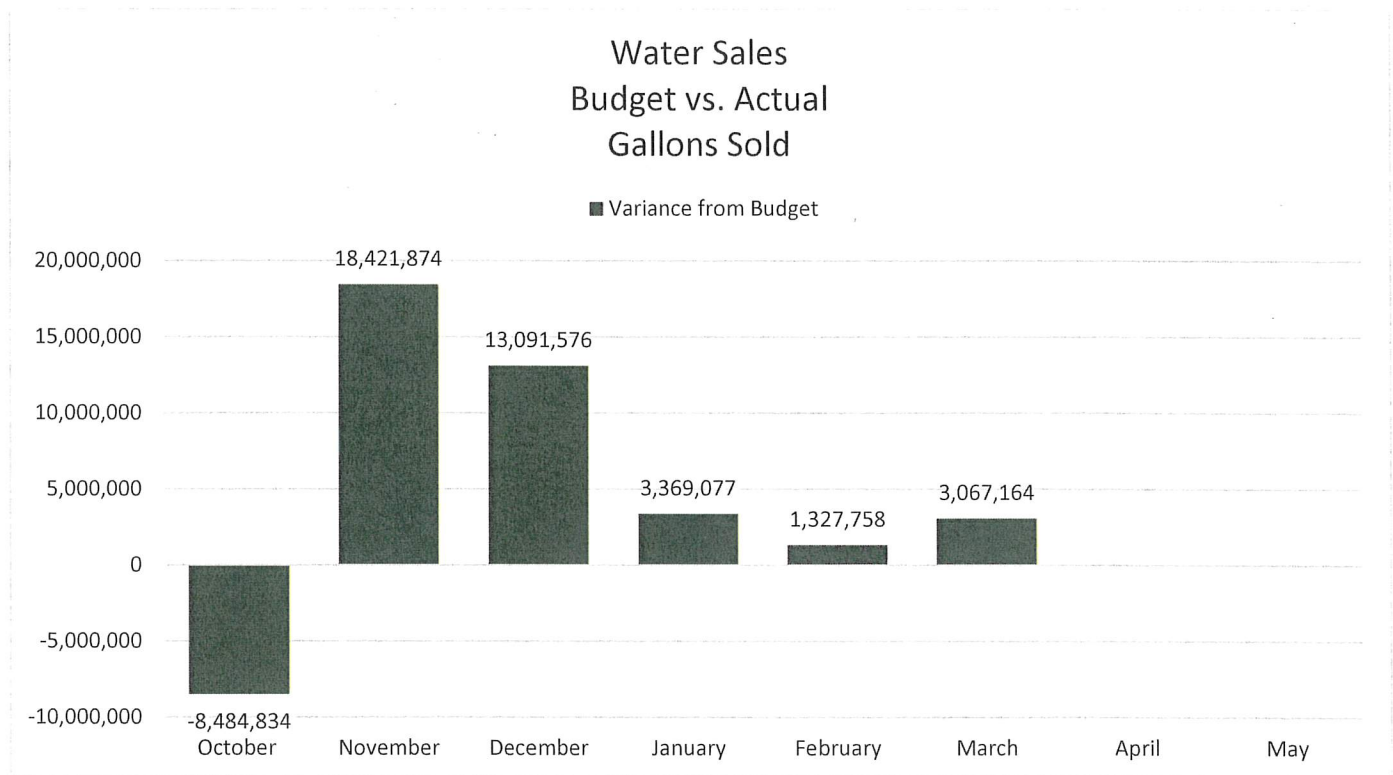
(Historical Actual Gallons Sold)

MONTH	FY20	FY19	FY18	FY17	FY16	5 YR AVG.	MONTHLY % OF AVG. YEAR
October	93,566,352	48,425,778	74,842,146	67,665,511	91,212,180	75,142,393	11.826%
November	46,498,218	28,659,404	54,219,743	36,121,301	57,967,700	44,693,273	7.034%
December	35,681,037	26,820,600	40,835,101	29,763,604	28,074,600	32,234,988	5.073%
January	29,650,938	24,369,300	30,427,603	25,916,226	25,832,300	27,239,273	4.287%
February	25,878,627	22,393,100	28,669,055	29,005,397	31,410,314	27,471,299	4.323%
March	25,605,370	25,419,200	27,570,079	29,618,486	33,314,600	28,305,547	4.455%
April	27,156,898	34,662,512	36,514,752	34,650,294	37,403,500	34,077,591	5.363%
May	40,863,931	31,586,112	49,472,347	50,048,436	31,186,900	40,631,545	6.395%
June	56,696,877	41,000,011	77,281,615	53,813,883	31,066,400	51,971,757	8.179%
July	83,204,050	56,871,110	101,215,314	63,113,453	70,648,700	75,010,525	11.805%
August	102,682,547	97,424,506	115,188,231	86,430,286	113,101,900	102,965,494	16.205%
September	108,029,554	106,116,324	92,306,411	72,775,515	99,040,585	95,653,678	15.054%
TOTAL GALLONS	675,514,399	543,747,957	728,542,397	578,922,392	650,259,679	635,397,365	100.000%

FY21 Projected Water Sales

(Gallons)

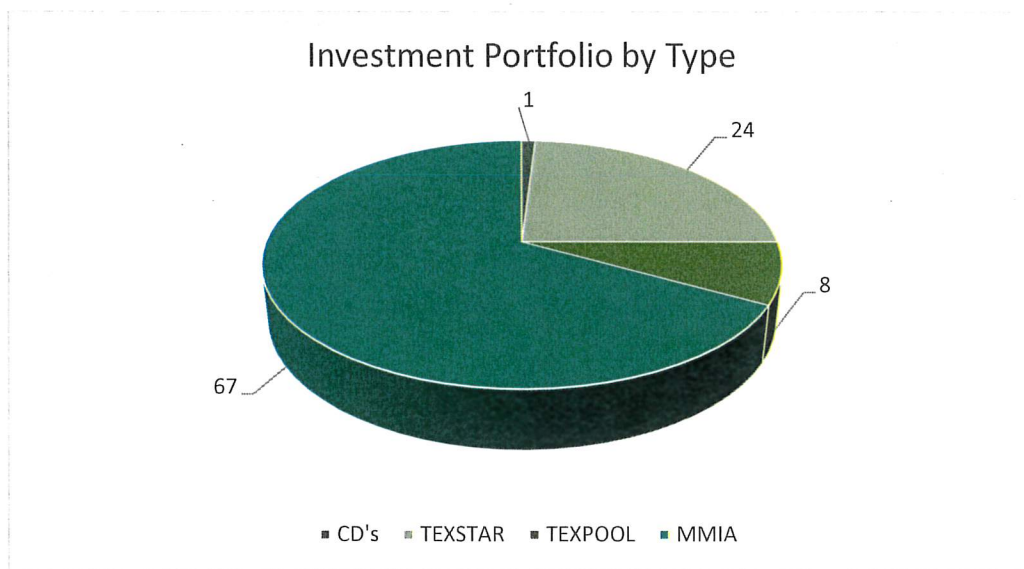
MONTH	2016-2020 5 YR. AVG.	MONTHLY % OF AVG. YR.	BUDGET FY2021	ACTUAL FY2021	VARIANCE FROM BUDGET	ACTUAL % OF BUDGET	VARIANCE FROM AVG.	ACTUAL % OF AVG.
October	75,142,393	11.826%	71,382,022	62,897,188	(8,484,834)	88.113%	(12,245,205)	83.704%
November	44,693,273	7.034%	42,456,675	60,878,549	18,421,874	143.390%	16,185,276	136.214%
December	32,234,988	5.073%	30,621,844	43,713,420	13,091,576	142.752%	11,478,432	135.609%
January	27,239,273	4.287%	25,876,131	29,245,208	3,369,077	113.020%	2,005,935	107.364%
February	27,471,299	4.323%	26,096,545	27,424,303	1,327,758	105.088%	(46,996)	99.829%
March	28,305,547	4.455%	26,889,045	29,956,209	3,067,164	111.407%	1,650,662	105.832%
April	34,077,591	5.363%	32,372,237					
May	40,631,545	6.395%	38,598,210					
June	51,971,757	8.179%	49,370,920					
July	75,010,525	11.805%	71,256,753					
August	102,965,494	16.205%	97,812,764					
September	95,653,678	15.054%	90,866,855					
TOTAL GALLONS	635,397,365	100.000%	603,600,000	254,114,877	30,792,615		19,028,103	



Cash Accounts

March 31, 2021

Type	Account Name	Reconciled Balance @12/31/2020	Reconciled Balance @03/31/2021	\$Variance	% Variance
Checking Accounts					
	Combined Operating Fund	\$0.00	\$0.00	\$0.00	0.00%
	Payroll	0.00	0.00	0.00	0.00%
	Cafeteria Flexible Spending	0.00	0.00	0.00	0.00%
Subtotal:		\$0.00	\$0.00	\$0.00	0.00%
Money Market Investment Accounts					
	Combined Investment	\$16,388,356.25	\$17,547,934.58	\$1,159,578.33	7.08%
	Water Deposit Escrow	135,793.91	120,579.71	(15,214.20)	-11.20%
	Builder's Deposits	46,688.60	46,720.21	31.61	0.07%
Subtotal:		\$16,570,838.76	\$17,715,234.50	\$1,144,395.74	6.91%
Savings Accounts					
	Drug Seizure Restricted Fund	\$11,020.59	\$11,570.94	\$550.35	4.99%
	Asset Forfeiture Restricted Fund	14,385.95	14,395.69	9.74	0.07%
Subtotal:		\$25,406.54	\$25,966.63	\$560.09	2.20%
Total Cash Accounts		\$16,596,245.30	\$17,741,201.13	\$1,144,955.83	6.90%



Investments

March 31, 2021

City of Woodway Investments March 31, 2021

CERTIFICATES OF DEPOSIT

Fund	Type	CD #	Interest Rate	Date of Purchase	Date of Maturity	Balance 12/31/2020	Additions	Maturities	Balance 03/31/2021	Accrued Interest
100 - General Fund		958433	1.00%	04/24/2020	04/24/2021	\$246,081.29	\$0.00	\$0.00	\$246,081.29	\$2,299.01
Subtotal						\$246,081.29	\$0.00	\$0.00	\$246,081.29	\$2,299.01
TOTAL CERTIFICATES OF DEPOSIT						\$246,081.29	\$0.00	\$0.00	\$246,081.29	\$2,299.01

TEXPOOL

Account Name	Pool	Account	Average Interest Rate	Balance 12/31/2020	Additions	Withdrawals	Balance 03/31/2021	Accrued Interest
General Fund	449	1551700003	0.0470%	\$1,141,884.81	\$1,000,152.69	\$0.00	\$2,142,037.50	\$0.00
Utility Fund	449	1551700001	0.0470%	81,371.11	9.40	0.00	81,380.51	0.00
TOTAL TEXPOOL DEPOSITS				\$1,223,255.92	\$1,000,162.09	\$0.00	\$2,223,418.01	\$0.00

TEXSTAR

Account Name	Location	Account	Average Interest Rate	Balance 12/31/2020	Additions	Withdrawals	Balance 03/31/2021	Accrued Interest
2017 Utility Improvements	15506	2017-000	0.0378%	\$6,506,280.37	\$599.43	(\$195,433.40)	\$6,311,446.40	\$0.00
TOTAL TEXSTAR DEPOSITS				\$6,506,280.37	\$599.43	(\$195,433.40)	\$6,311,446.40	\$0.00
TOTAL INVESTMENTS				\$7,975,617.58	\$1,000,761.52	(\$195,433.40)	\$8,780,945.70	\$2,299.01

I certify, to the best of my knowledge, that the foregoing investments were made in compliance with the City of Woodway's Investment Policy as amended December, 2017.

City Manager

Finance Director

Tourism Fund Revenues

REVENUE SOURCE	FY 2021			FY 2020		
	BUDGET	YTD	%	BUDGET	YTD	%
HOTEL OCCUPANCY TAX						
1 Hotel Occupancy Tax	\$650,000	\$231,793	36%	\$750,000	\$304,859	41%
Total Hotel Occupancy Tax	\$650,000	\$231,793	36%	\$750,000	\$304,859	41%
OTHER INCOME						
2 Interest Income	\$7,500	\$1,430	19%	\$20,000	\$8,092	40%
Miscellaneous Income	0	0	0%	0	0	0%
Transfer from General Fund	0	0	0%	0	0	0%
Total Other Income	\$7,500	\$1,430	19%	\$20,000	\$8,092	40%
TOTAL INCOME	\$657,500	\$233,223	35%	\$770,000	\$312,951	41%

Notes:

1: Hotel Occupancy Tax – FY 2021 is down from FY 2020 due to the COVID outbreak.

2: Interest Income – Interest rates were higher in FY 2020 than in FY 2021.

Tourism Fund Expenditures

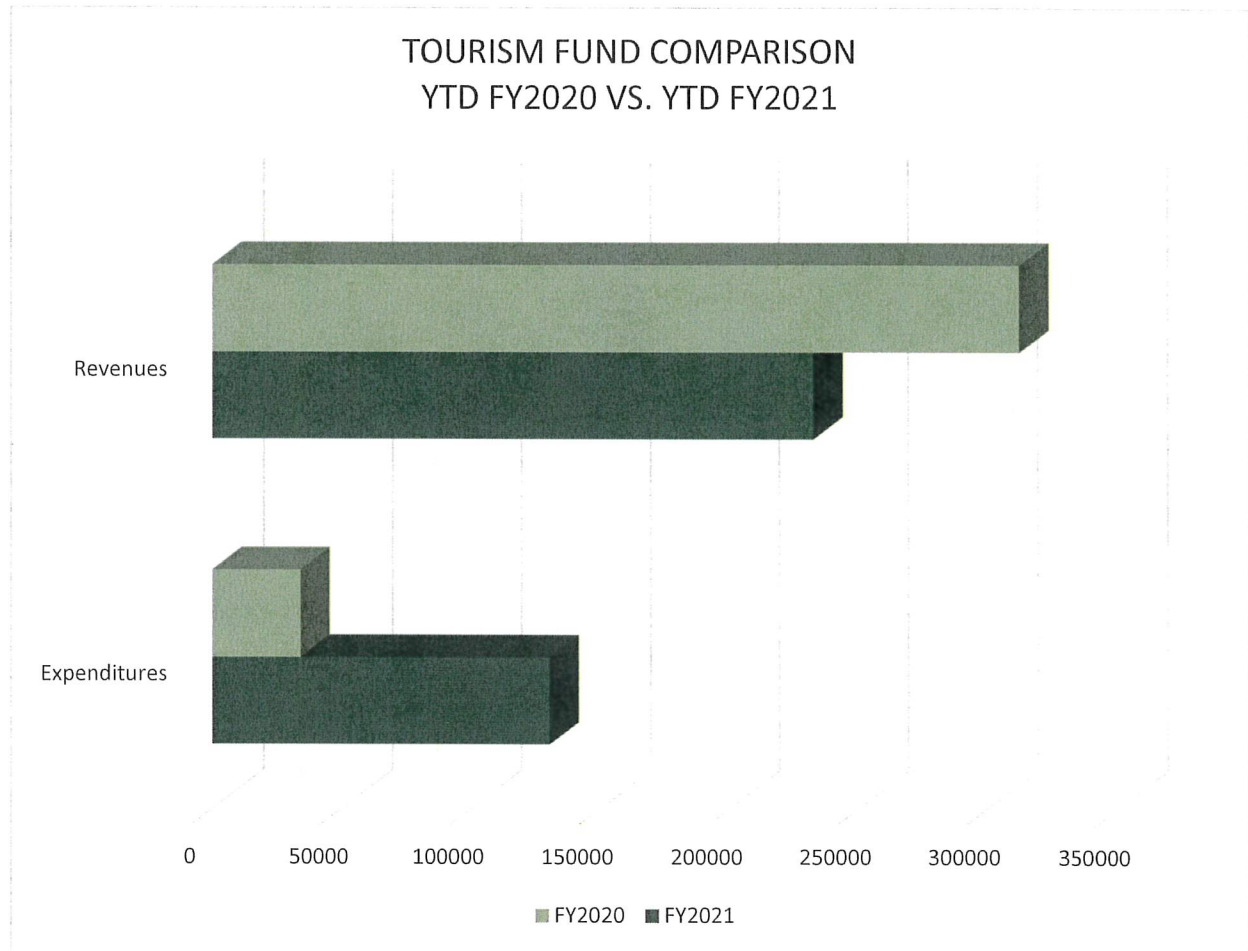
		FY 2021			FY 2020		
EXPENDITURES BY DIVISION		BUDGET	YTD	%	BUDGET	YTD	%
CATEGORY A:							
VISITOR INFORMATION CENTER							
	Principal	\$85,000	\$0	0%	\$80,000	\$0	0%
	Interest	18,600	9,300	50%	21,800	10,900	50%
	Paying Agent Fees	300	0	0%	300	0	0%
	Schools/Conferences	2,000	359	18%	2,000	2,824	141%
1	Special Studies	0	16,426		0	0	0%
	Contract Labor	0	2,600		0	0	0%
2	Transfer to General Fund for Visitor Center	\$375,147	0	0%	248,235	0	0%
CATEGORY B: CONVENTIONS		0	0	0%	0	0	0%
Conference Sponsorships							
CATEGORY C:							
3	TOURISM ADVERTISING & PROMOTIONS	92,857	101,434	109%	111,343	16,554	15%
	FESTIVALS	0	678		0	3,980	
CATEGORY D							
ARTS ORGANIZATIONS & PROGRAMS							
	Art Exhibition & Programs (sculptures)	0	0	0%	0	0	0%
TOTAL EXPENDITURES		\$573,904	\$130,797	23%	\$463,678	\$34,258	7%

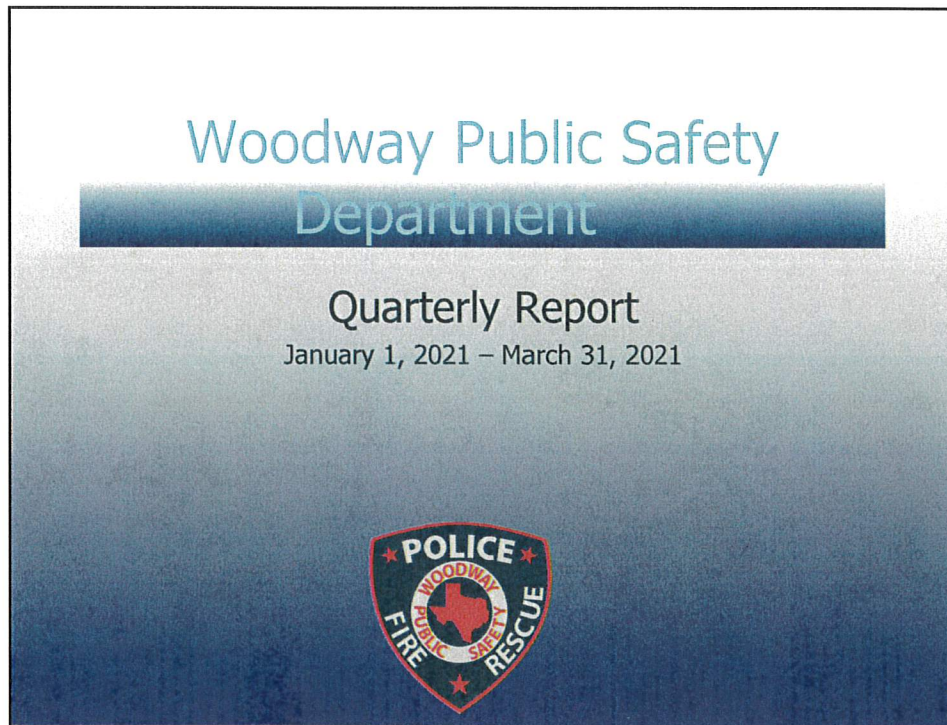
Notes:

1: FY 2021 includes an Arboretum Irrigation Assessment Study and Site Plan.

2: Transfer from Tourism Fund – Transfer will be a September entry after all Hotel Occupancy Tax Receipts.

3: Tourism Advertising & Promotions – The majority was paid early for FY 2021.








COMMUNICATIONS CALLS FOR SERVICE

January 1, 2021 – March 31, 2021


	<u>2020</u>	<u>2021</u>
POLICE	5614	6183
FIRE	62	81
EMS	113	121
VCO-Other	119	159








PATROL



January 1, 2021 – March 31, 2021

	<u>2020</u>	<u>2021</u>
CALLS FOR SERVICE	6810	6514
INCIDENTS	205	161
TOTAL ARRESTS	58	76
VEHICLE CRASHES	37	47
TRAFFIC CITATIONS	327	374
K9 SEARCHES	5 Deployments 19g Marijuana 2.1g Meth 3g Heroin 13 Paraphernalia	17 4g Marijuana 26g Meth 1g Heroin (8 Pills) 4 Paraphernalia






CID



January 1, 2021 – March 31, 2021


	<u>2020</u>	<u>2021</u>
TOTAL C.I.D. CASES	34	25
CLEARED BY ARREST	4	7
EXCEPTIONALLY CLEARED	1	1
ACTIVE C.I.D. CASES	16	12
IN-ACTIVE C.I.D. CASES	6	1
FORENSICS	45 Cases (8 Total Different Agencies)	66 (9 Total Different Agencies)





CRIMES


January 1, 2021 – March 31, 2021





ONLINE SOLICITATION
ARREST

HOUSE FIRE


BURGLARIES (HOME)	2	1
LARCENY/THEFTS	29	24
SEXUAL ASSAULT	1	4
ONLINE SOLICITATION CASES	5	3
ROBBERY	0	0







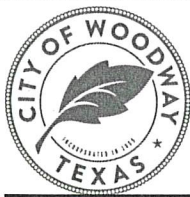


QUESTIONS









CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: Mitch Davison

Approved By: Shawn Aubee By DB

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☒ Individual Discussion/Action
- ☐ Consent
- ☐ Executive Session

Caption:

Discussion and consider action on request for approval of final replat of Rainbow Lake Addition, Lot 68, Block A to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as lots 43-46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Mary Anne Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas.

Background Information:

Mary Gardner (applicant) submitted a final plat of Rainbow Lake Addition, Lot 68, Block A to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43-46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Mary Anne Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas.

City staff has requested that the applicant be present to answer any questions from the City Council.

After conducting the first public hearing on April 13, 2021, the Planning and Zoning Commission recommends City Council conditionally approve the final plat and approve the variance regarding the public street frontage requirements. There is no public street in the frontage of Rainbow Lake Addition.

Financial Impact:

Total of Proposed Expenditure:

Amount Budgeted:

Account No.:

If not budgeted, other funding options:

Staff Recommendation:

Recommend the Council to approve or disapprove the variance and final plat of Rainbow Lake Addition, Lot 68, Block A to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43-46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Mary Anne Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas.



CITY OF WOODWAY FINAL PLAT/REPLAT SUBMITTAL FORM

(ALL INFORMATION REQUESTED MUST BE PROVIDED)

Items to be completed by Applicant

Check one of the following:

- ☐ This submittal is a **plat** of acreage
☒ This submittal is a **replat**
☐ This submittal is an **amended plat**

Meeting Dates:

Current legal description of property:

Attached

Proposed legal description of property (must list all lot(s), block(s) and name of addition:

Attached

Applicant information:

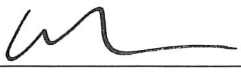
Applicant name: Mary Anne Gardner c/o Mitchell & Associates, Inc. 600 Austin Ave. Ste. 29, Waco Texas (254) 776-5151

Mailing address: 321 Rainbow Drive Woodway, TX 76712

Telephone/fax numbers: 512-917-1252

Alternate contact: _____

Telephone/fax numbers of alternate contact: _____

Applicant's Signature: 

Date: 3/15/21

Items to be completed by office:

Date of submittal 3/17/21 Submittal accepted by: Amy Norak

☒ \$250.00 fee paid Date of notification to City Secretary: 3/17/21

Staff level review conducted by:

☒ John Norman

☐ Cory Turnmire

Date: 3/17/21

CURRENT LEGAL DESCRIPTION:

BEING ALL OF TRACT 1 DESCRIBED AS LOTS 43 - 46, BLOCK A OF THE RAINBOW LAKE SUBDIVISION, TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, AS PER PLAT OF RECORD IN VOLUME 275, PAGE 278 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS, AND ALL OF TRACT 2 DESCRIBED IN A DEED TO MARY ANNE GARDNER, RECORDED UNDER MCLENNAN COUNTY CLERK'S FILE NUMBER 2019025233 OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS.

PROPOSED LEGAL DESCRIPTION:

FINAL PLAT RAINBOW LAKE ADDITION LOT 68, BLOCK A, TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, BEING ALL OF TRACT 1 DESCRIBED AS LOTS 43 - 46, BLOCK A OF THE RAINBOW LAKE SUBDIVISION, TO THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS, AS PER PLAT OF RECORD IN VOLUME 275, PAGE 278 OF THE DEED RECORDS OF MCLENNAN COUNTY, TEXAS, AND ALL OF TRACT 2 DESCRIBED IN A DEED TO MARY ANNE GARDNER, RECORDED UNDER MCLENNAN COUNTY CLERK'S FILE NUMBER 2019025233 OF THE OFFICIAL PUBLIC RECORDS OF MCLENNAN COUNTY, TEXAS.

Mitchell & Associates, Inc.

Surveying

September 22, 2020

City of Woodway
Assistant Director – John Norman
924 Estates Drive,
Woodway, Texas 76712

RE: Final Plat for Rainbow Lake Addition, Lot 68, Block A

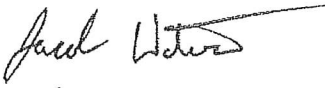
To the City of Woodway:

On behalf of our client (Julia Carol Gardner) Mitchell & Associates, Inc. is requesting a variance from the requirement that (100' minimum) of public street frontage be required for the proposed Lot 68. An existing Easement Agreement for Access recorded under Instrument Number 2016004067 is currently used for access to all lots in Block "A" of the Rainbow Lake Subdivision. The request would create an undue burden upon our client.

If you have any questions regarding the content of this request, please feel free to give me a call at 254-776-5151.

Sincerely,

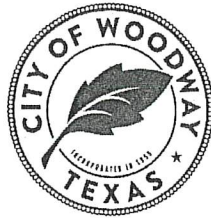
Jacob Waters



9-22-20

600 Austin Avenue – Suite #29, Waco, Texas 76701
A Firm Branch of Mitchell & Associates, Inc., Killeen, TX
TBPLS Firm Registration Number 10194044
Phone 254.776.5151 FAX 254.776.5152

NOTICE OF PUBLIC HEARINGS



Notice is hereby given to all interested persons that the City of Woodway Planning and Zoning Commission will conduct a public hearing regarding the following request on Tuesday, April 13, 2021, at 5:30 p.m. in the Donald J. Baker Council Chambers at Woodway City Hall, 922 Estates Drive, Woodway, Texas:

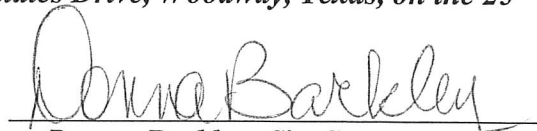
Request for approval of final replat of Rainbow Lake Addition, Lot 68, Block A to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43 – 46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Mary Anne Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas

The Woodway City Council is scheduled to consider the recommendations of the Planning and Zoning Commission and take final action on the request noted above on Monday, April 26, 2021, at 5:30 p.m.

To mitigate the spread of COVID-19, these meetings will be closed to in-person attendance by the public. However, public virtual participation information is provided on both agendas and can be found on the City's website at www.woodwaytexas.gov seventy-two (72) hours in advance of each meeting.

For additional information related to this request, please contact Mitch Davison, Director of Community Services and Development, 924 Estates Drive, Woodway, Texas (254-772-4050).

This notice was posted at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on the 25th day of March 2021 at 5:00 p.m.


Donna Barkley, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (254) 772-4480 or FAX (254) 772-0695 for further information.



Part of the City's public hearing process includes mailing notices to the owners of all parcels of property (in the Woodway city limits) that are within 200 feet of the subject property. (We utilize McLennan County Appraisal District records - the most recently approved municipal tax roll - to compile the mailing list.) If you no longer own property within 200 feet of the subject property shown on this map, you may assist by forwarding this notice to the current owner; however, notices are also posted at Woodway City Hall and advertised in the official newspaper of the City, as required by law, to insure all notification requirements are met.

Lot 68, Block A, Rainbow Lake Addition
(Being Lots 43-46, Block A, Rainbow
Lake Addition)

Gordon L. Swanson, Jr
Susan Swanson
P.O. Box 21355
Waco, TX 76702

Rainbow Lake, Inc.
%Linda Turner
341 Rainbow Dr.
Woodway, TX 76712

Joel David and Lea Danielle Mendez
335 Rainbow Dr.
Woodway, TX 76712

Mary Anne Gardner, LTE
Julia Carol Gardner
321 Rainbow Dr.
Woodway, TX 76712

Robert and Mary Chambers
112 Bradford Square
Woodway, TX 76712

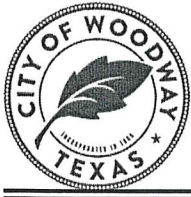
Merlenna Mehaffey
330 Rainbow Dr.
Woodway, TX 76712

Roger Janosek and Beck Jones
116 Bradford Square
Woodway, TX 76712

Jerry Dyer, Sr.
And Brenda Dyer
110 Bradford Square
Woodway, TX 76712

Brady and Vanessa Gibson
331 Rainbow Dr.
Woodway, TX 76712

1.30 ACRES
City of Woodway
McLennan County, Texas



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: Donna Barkley

Approved By: Shawn Onate By: OB

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☒ Individual Discussion/Action
- ☐ Consent
- ☐ Executive Session

Caption:

Discussion and consider action on approving Bond Counsel engagement with Germer PLLC

Background Information:

On March 15, 2021, staff recommended and City Council approved hiring Mr. Guy Goodson and Ms. Kate Leverett from Germer Law Firm to represent the City as bond counsel. An engagement letter is attached and provides the City with matters preliminary to the issuance of the Certificates where Germer PLLC has assisted. Pursuant to the services set out in the engagement letter and in the same manner as which the City has incurred fees and expenses heretofore as to issuance of the Certificates, the City shall pay Germer fees based on the amount of time expended by Germer attorneys and non-attorney professionals from the date on which services relating to the Certificates were performed. Based upon review of the proposed issuance of Certificates, they would anticipate that the fees and expenses (exclusive of the review fee paid by Germer to the Office of Public Finance Attorney General of the State of Texas and registration of the Certificates with the Comptroller of Public Accounts) would be \$33,600.00 based on the fee schedule included in the engagement letter.

The review fee for the Certificates payable to the Office of Public Finance Attorney General of the State of Texas and any related fees will be paid for and shown as an expense at closing. The Attorney General fee is 0.10% of the face amount of the Certificates to a maximum fee of \$9,500.00. The anticipated fee noted in this paragraph will include their estimated cost for all services through and following the closing from the sale of the Certificates as may be necessary to assist the City with matters related to the issuance, sale and delivery of the Certificates.

Financial Impact:

Total of Proposed Expenditure: \$
Amount Budgeted: \$
Account No.:
If not budgeted, other funding options:

Staff Recommendation:

Authorize the Mayor to execute the Bond Counsel engagement with Germer PLLC for the City in issuance of \$18,600,000 Tax & Revenue Certificates of Obligation, Series 2021

April 26, 2021

City of Woodway
922 Estates Drive
Woodway, Texas 76712

Re: City of Woodway, Texas (the "City") – \$18,600,000* Tax & Revenue Certificates of Obligation, Series 2021 (the "Certificates")

Ladies and Gentlemen:

This letter will confirm the terms pursuant to which Germer PLLC ("Germer") would serve as bond counsel for the City in the issuance of the above-referenced Certificates. The Certificates are proposed for delivery, after sale, in 2021. The undersigned has heretofore been privileged to assist the City with matters preliminary to the issuance of the Certificates.

The services which we propose to provide as to the Certificates will include:

- 1) analysis of eligibility for interest on the Certificates to be excluded from gross income for federal income tax purposes;
- 2) consultation with representatives of the City and any financial advisor or underwriter, purchaser or others with respect to the timing, terms and legal structure of the proposed Certificates;
- 3) preparation of the order of the governing body of the City approving the issuance and sale of the Certificates and the documents to be adopted or entered into by the City required for issuance of the Certificates along with documents relative to the sale and/or placement of the Certificates with a purchaser, the execution, as applicable, of a paying agent/registrar agreement for the Certificates and supplements to or amendments as may be required by the City and/or any approving regulatory authority (the "Certificate Documents");
- 4) preparation of policies as may be required for post-issuance procedures in compliance with federal income tax regulations and post-issuance procedures as to continuing financial disclosure obligations;

GERMER PLLC

550 FANNIN SUITE 400 BEAUMONT, TX 77701
Or P.O. BOX 4915 BEAUMONT, TX 77704
PHONE: 409.654.6700 • FAX: 409.835.2115

- 5) preparation and filing of all documents necessary to obtain approval of the Attorney General of the State of Texas and registration with the Comptroller of Public Accounts;
- 6) review and examination of all insurance agreements, if applicable;
- 7) assistance in the preparation of notices of sale and related documents for the public sale of the Certificates and the preparation of any disclosure and issue certificates to be delivered by the City;
- 8) review of the disclosure investigations which are actually made on behalf of the City;
- 9) preparation of final Certificate Documents required for execution by City to affect the delivery of the City;
- 10) rendering of Germer's customary opinion in final legal form to the City as to the validity of the Certificates and the tax-exempt status of the Certificates and the absence of registration requirements.

In consideration for the services set forth above and in the same manner as which the City has incurred fees and expenses heretofore as to issuance of the Certificates, the City shall pay Germer fees based on the amount of time expended by Germer attorneys and non-attorney professionals from the date on which services relating to the Certificates were performed. Based upon our review of the proposed issuance of Certificates, as stated above, we would anticipate that the fees and expenses (exclusive of the review fee paid by Germer to the Office of Public Finance Attorney General of the State of Texas and registration of the Certificates with the Comptroller of Public Accounts) would be \$33,600.00 based on the attached fee schedule.

The review fee for the Certificates payable to the Office of Public Finance Attorney General of the State of Texas and any related fees will be paid for and shown as an expense at closing. The Attorney General fee is 0.10% of the face amount of the Certificates to a maximum fee of \$9,500. The anticipated fee noted in this paragraph will include our estimated cost for all services through and following the closing from the sale of the Certificates as may be necessary to assist the City with matters related to the issuance, sale and delivery of the Certificates.

The City acknowledges that this engagement letter has been reviewed and its content understood and that the City agrees to be bound by all of the terms and conditions and represents that the person signing below has been authorized to do so on behalf of the City. Furthermore, the City acknowledges that Germer has made no representations or guarantees to the City regarding the successful issuance of the Certificates, the tax status of interest on the Certificates or the time necessary to complete the issuance of the Certificates.

Upon execution of this engagement letter, the City shall be the client of the undersigned, and an attorney-client relationship shall exist between us. We assume that all other parties to the proposed transaction for the issuance of the Certificates for the Project understand that we represent the City

only in this transaction and are not counsel to any other party and are not acting as an intermediary among parties. Our services as bond counsel will be limited to those as contracted for in this engagement letter, and the City's execution hereof acknowledges those limitations. Our representation of the City will not affect, however, our responsibility to render an objective opinion as to the Certificates.

The provisions of this engagement letter may only be amended in writing and signed by both parties.

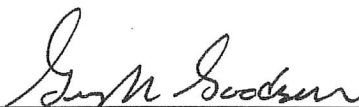
The agreement will take effect upon execution of this engagement letter, but its effective date will be retroactive to the date Germer first performed services. This engagement letter may be executed in counterparts, and an electronically transmitted signature shall be deemed to be the legal equivalent of an original signature.

If you have any questions, please feel free to contact the undersigned. If the foregoing is satisfactory, please sign and return a copy of this letter to me. We look forward to working with you and to a successful completion of this transaction.

We very much appreciate the opportunity to serve the City in this matter.

Yours very truly,

GERMER PLLC

By: 
Guy N. Goodson

GNG/mgm

APPROVED AND ACCEPTED by City Council of the City of Woodway on the 26th day of April, 2021.

City of Woodway, Texas

Mayor

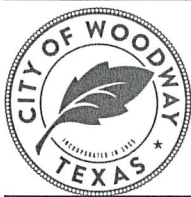
EXHIBIT "A"

FEE SCHEDULE PER PAR AMOUNT

The fee for each issue of debt obligations will be as follows:

Par Amount up to \$10,000,000 - \$25,000

Plus 0.10% of Par Amount Over \$10,000,000



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: William Klump, Finance Director

Approved By: Shawn Aubrey *BSJB*

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☒ Individual Discussion/Action
- ☐ Consent
- ☐ Executive Session

Caption:

Discussion and consider action on Ordinance 21-02 Authorizing and Approving Publication Of Notice Of Intention To Issue City Of Woodway, Texas Tax & Revenue Certificates Of Obligation, Series 2021 (The "Certificates") in a maximum principal amount not to exceed \$18,600,000; Authorizing the Mayor, City Manager, City Clerk, City Staff, City Financial Advisors, Legal Counsel and Bond Counsel to take all actions deemed necessary in connection with the Issuance and Sale of Such Certificates; and providing an effective date

Background Information:

The City intends to issue certificates of obligation in an amount not to exceed an aggregate of \$18,600,000 for the purpose of paying, in whole or in part, contractual obligations to be incurred for design, construction, development, redevelopment, improvement or rehabilitation and equipping of public works, purchase of land and right-of-way and purchase of materials, supplies, equipment and machinery, for authorized needs and purposes to fund (i) the City waterworks and sewer system, (ii) the City recreational facility and infrastructure improvements (collectively the "Projects"), (iii) professional services for engineering, surveying, geotechnical, auditing, financial advisory, legal counsel and (iv) cost of issuance of the Certificates.

This doesn't authorize the sale of the Certificates of Obligation, it just starts the process. The City Council will make the final decision to fund any or all projects. This ordinance authorizes our financial advisors to find the most advantageous funding option for the City.

Representatives of RBC Capital Markets and Germer PLLC will be present at our meeting to answer any questions you may have.

Financial Impact:

Total of Proposed Expenditure: \$

Amount Budgeted: \$

Account No.:

If not budgeted, other funding options:

Staff Recommendation:

Adopt Ordinance 21-02, authorizing and approving publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation Series 2021 (The "Certificates") in a maximum principal amount not to exceed \$18,600,000; Authorizing the Mayor, City Manager, City Clerk, City Staff, City Financial Advisors, Legal Counsel and Bond Counsel to take all actions deemed necessary in connection with the Issuance and Sale of Such Certificates; and providing an effective date

ORDINANCE NO. 21-02

**ORDINANCE AUTHORIZING AND APPROVING PUBLICATION OF
NOTICE OF INTENTION TO ISSUE CITY OF WOODWAY, TEXAS
TAX & REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021
(THE "CERTIFICATES") IN A MAXIMUM PRINCIPAL AMOUNT NOT
TO EXCEED \$18,600,000; AUTHORIZING THE MAYOR, CITY MANAGER,
CITY CLERK, CITY STAFF, CITY FINANCIAL ADVISORS, LEGAL COUNSEL
AND BOND COUNSEL TO TAKE ALL ACTIONS DEEMED NECESSARY
IN CONNECTION WITH THE ISSUANCE AND SALE OF SUCH
CERTIFICATES; AND PROVIDING AN EFFECTIVE DATE**

THE STATE OF TEXAS

§

§

COUNTY OF MCLENNAN

§

WHEREAS, the City Council for the City of Woodway, McLennan County, Texas (the "City") expects to pay, in whole or in part, contractual obligations to be incurred for design, construction, development, redevelopment, improvement or rehabilitation and equipping of public works, purchase of land and right-of-way and purchase of materials, supplies, equipment and machinery, for authorized needs and purposes to fund (i) the City waterworks and sewer system, (ii) the City recreational facility and infrastructure improvements (collectively the "Projects"), (iii) professional services for engineering, surveying, geotechnical, auditing, financial advisory, legal counsel and (iv) cost of issuance of the Certificates;

WHEREAS, the City hereby finds, considers and declares that reimbursement of the payment by the City of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the U.S. Treasury Regulations, to reimburse itself for such payments at such time as it issues the hereinafter described Certificates of Obligation;

WHEREAS, the City Council intends to finance the Projects from the proceeds derived from the sale of the City of Woodway, Texas Tax & Revenue Certificates of Obligation, Series 2021 (the "Certificates") to be issued in the maximum principal amount not to exceed \$18,600,000 by the City pursuant to §271.041-271.0623, Texas Local Government Code, as amended;

WHEREAS, the Certificates shall be payable from an ad valorem tax levied, within the limits prescribed by law, on taxable property located within the City and from a pledge of certain surplus revenues derived from the operation of the City's waterworks and sewer system (the "System") after deduction of expenses of operation and maintenance of the City's waterworks and sewer system which pledge shall be described in the Certificates;

WHEREAS, it is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

WHEREAS, the City Council authorizes the City Secretary to provide notice of the Council's intention to issue the Certificates by publication of the Notice of Intent to Issue the Certificates set forth in **Exhibit "A"** to this Ordinance once a week for two (2) consecutive weeks in the newspaper

of general circulation for the City, as hereinafter specified, the date of the first publication to be before the forty-fifth (45th) day before the date tentatively set for the passage of the Ordinance authorizing the issuance of the Certificates.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WOODWAY, MCLENNAN COUNTY, TEXAS:

Section 1. The Recitals to this Ordinance are incorporated within this Ordinance as if fully set forth below.

Section 2. That the attached Notice of Intention to Issue Certificates set forth and marked **Exhibit "A"** is the form of notice of intent to issue certificates (the "Notice"), the form and substance of which is hereby passed and approved.

Section 3. That the City shall cause the Notice to be published, in substantially the form attached hereto as **Exhibit "A"**, in *Waco Tribune-Herald*, a newspaper of general circulation in Woodway, McLennan County, Texas, for two consecutive weeks, the date of the first publication to be before the forty-fifth (45th) day before the day tentatively proposed for authorizing the issuance of the Certificates as shown in the Notice.

Section 4. That the Projects to be financed with proceeds from the proposed Certificates are to be used for the purposes described in the attached Notice.

Section 5. That all costs to be reimbursed pursuant to this Ordinance will be authorized expenditures; the proposed Certificates shall be issued within eighteen (18) months of the later of (i) the date the expenditures are paid or (ii) the date on which the property, with respect to which such expenditures were made, is placed in service; and the foregoing notwithstanding, the Certificates will not be issued pursuant to this Ordinance on a date that is more than three years after the date any expenditure which is to be reimbursed is paid.

Section 6. That the City Manager, City's staff and the City's financial advisor, legal counsel and bond counsel are hereby authorized to take any such actions as may be appropriate to carry out the intent of this Ordinance.

Section 7. This Ordinance is hereby adopted and approved effective this 26th day of April, 2021 with the affirmative vote of all Council members present and voting at its reading.

PASSED AND APPROVED this 26th day of April, 2021.

CITY OF WOODWAY, TEXAS

Jane Kittner, Mayor

ATTEST:

Donna Barkley, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Mike Dixon, City Attorney

EXHIBIT "A"

**NOTICE OF INTENTION TO ISSUE
CITY OF WOODWAY, TEXAS
CERTIFICATES OF OBLIGATION**

NOTICE IS HEREBY GIVEN that the City Council of the City of Woodway, Texas shall convene at 5:30 p.m. on Monday, June 14, 2021, at its regular meeting place at the City Hall of Woodway, located at 922 Estates Drive, Woodway, Texas, and during such meeting, the City Council will consider the passage of an Ordinance and take such other actions as may be deemed necessary to authorize the issuance of the **City of Woodway, Texas Tax & Revenue Certificates of Obligation, Series 2021** (the "Certificates") in the maximum aggregate principal amount not to exceed \$18,600,000 for the purpose of paying, in whole or in part, contractual obligations to be incurred for design, construction, development, redevelopment, improvement or rehabilitation and equipping of public works, purchase of land and right-of-way and purchase of materials, supplies, equipment and machinery, for authorized needs and purposes to fund (i) the City waterworks and sewer system, (ii) the City recreational facility and infrastructure improvements (collectively the "Projects"), (iii) professional services for engineering, surveying, geotechnical, auditing, financial advisory, legal counsel and (iv) cost of issuance of the Certificates. The Certificates shall be payable from an ad valorem tax levied, within the limits prescribed by law, on taxable property located within the City and from a pledge of certain surplus revenues derived from the operation of the City's waterworks and sewer system (the "System").

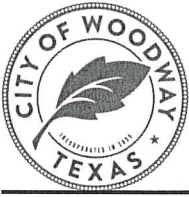
The current principal of all outstanding debt obligations of the City is \$14,860,000. The current combined principal and interest required to pay all outstanding debt obligations, secured by and payable from ad valorem taxes, of the City on time and in full is \$0, and the estimated principal and interest required to pay the proposed Certificates on time and in full is \$25,585,897. The Certificates shall mature not later than 40 years from the date of the Certificates and with interest, payable semi-annually, at a rate not in excess of the maximum legal rate of interest as prescribed by Chapter 1204, Government Code.

This Notice is issued pursuant to the authority and direction of the City Council of the City of Woodway, Texas and in accordance with the provisions of the Certificate of Obligation Act of 1971, as amended, Local Government Code §271.041, et seq. and the Public Securities Procedures Act, as amended, §1201.001, et seq., Government Code.

CITY OF WOODWAY, TEXAS

/s/ Jane Kittner

Mayor



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: Donna Barkley

Approved By:

Shawn Oubre *BjOB*

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☒ Individual Discussion/Action
- ☐ Consent
- ☐ Executive Session

Caption:

Discussion and consider action on mowing the field at Whitehall Park prior to the end of blooming season for bluebonnets and other wildflowers

Background Information:

Historically, staff mows between June 1st and June 15th of each year. The actual mowing date varies based on when the seed pods dry, open and fall. This time frame allows the re-seeding for next year's crop of wild flowers. If staff mows before this occurs it will cause damage to future wildflower crops.

This process is duplicated up and down Hwy 84 and other city properties where these wildflowers bloom.

Financial Impact:

Total of Proposed Expenditure: \$
Amount Budgeted: \$
Account No.:
If not budgeted, other funding options:

Staff Recommendation:

Staff will proceed as directed by Council.

WOODWAY CITY COUNCIL MINUTES

April 12, 2021 – 5:30 P.M.

The Woodway City Council met in a regular meeting in the Donald J. Baker Council Chambers at Woodway City Hall, 922 Estates Drive, Woodway, Texas, and via a virtual Zoom meeting, on Monday, April 12, 2021, at 5:30 p.m. The following individuals were in attendance:

Mayor:	Jane Kittner
Mayor Pro Tem:	Vic Sober
Councilmembers:	Scott A. Giddings, Amine Qourzal, and David Russell
Absent:	David Mercer and Storey Cook
City Manager:	Shawn Oubre
City Secretary:	Donna Barkley
City Staff:	Lenny Caballero, Bret Crook, Larry Adams, John Norman, William Klump, Keith Lowrey and Jamie Kent
Councilmember Elect:	Gayle Avant
Contract Staff:	None
Registered Guests:	Kelly Painter, 109 Kay Drive, Robinson, TX Janet and Troy Schaffer, 761 Birdie Lane, Lorena Scott Wetzels with CP&Y Timothy Hess, 200 Santa Fe, Woodway

CALL MEETING TO ORDER

Mayor Kittner called the meeting to order at 5:30 p.m.

INVOCATION

1. INVOCATION

Councilmember Qourzal provided the invocation.

PRESENTATIONS AND VISITORS

2. HEAR VISITORS

Clarence Symank, 328 Branch Rd addressed the City Council with the following three concerns:

- The decibel level of 85 is too loud
- Cats running loose
- Kids playing in the street

Dr. Oubre will follow up on these items.

3. SPECIAL PRESENTATION TO CITY OF WOODWAY PUBLIC SAFETY DEPARTMENT RETIREE, CORPORAL KELLY PAINTER

Mayor Kittner presented Corporal Painter with an engraved clock and gift card on behalf of the City Council and

WOODWAY CITY COUNCIL MINUTES

Page 2

April 12, 2021 – 5:30 p.m.

Staff for his eighteen years of dedicated and loyal service to the City.

4. SPECIAL PRESENTATION TO CITY OF WOODWAY (CARLEEN BRIGHT ARBORETUM/WOODWAY FAMILY CENTER) RETIREE, JANET SCHAFFER

Mayor Kittner presented Janet with an engraved clock and gift card on behalf of the City Council and Staff for sixteen years of loyal and dedicated service to the City.

Dr. Oubre took a moment to say a few words of appreciation for both Kelly Painter and Janet Schaffer.

5. QUARTERLY PRESENTATION - COMMUNITY SERVICES AND DEVELOPMENT DEPARTMENT

Assistant Director John Norman came forward to present the Community Services and Development quarterly report covering January through March, 2021. He reviewed several photographs provided on a PowerPoint presentation of residential development around the city along with the following commercial projects: Kids R Us, Office/Warehouse on Atlas, Luigi's Restaurant, Republic Gun Club, Pet Supplies Plus and Staybridge Hotel. He also provided updates on the following projects: Highway 84 Pump project, Street project and Sewer Line Project. Mr. Norman answered questions.

ITEMS FOR INDIVIDUAL DISCUSSION, CONSIDERATION AND/OR ACTION

6. UPDATE, DISCUSSION AND CONSIDER ACTION ON IMPROVEMENTS TO THE WOODWAY FAMILY CENTER

Dr. Oubre provided additional financial information and design options for the Woodway Family Center. After a brief discussion, it was the consensus of the Council to have bond counsel and financial advisor at the next council meeting to provide procedure information of going to the bond market for this item.

7. UPDATE, DISCUSSION AND CONSIDER ACTION ON THE SANITARY SEWER REPLACEMENT PROJECT, PHASE II AND PHASE III

Dr. Oubre provided an update and additional financial information. He also provided a water rate comparison with area cities. After a brief discussion, it was the consensus of the Council to have bond counsel and financial advisor at the next council meeting to provide procedure information of going to the bond market for this item.

8. DISCUSSION AND CONSIDER ACTION ON AUTHORIZING THE CITY MANAGER TO PLACE A BARRICADE ACROSS THE 9300 BLOCK OF RED RIVER PREVENTING TRAFFIC FROM USING THE CUL-DE-SAC.

Dr. Oubre provided an aerial photo of the property. Over the years, silt and erosion have filled this area and it is also on unstable ground. It is really too dangerous to have traffic on. The three options are: 1) to fix the cul-de-sac which has little or no traffic for about \$26,000.00; 2) ask the neighbors if they wanted to do a quit claim deed where each gets half and the City keeps an easement to get to the ditch and service the fire hydrant at approximately \$9,000.00; or 3) prohibit traffic from going into the cul-de-sac for about \$1,500.00. We can put a barricade across it.

There was a brief discussion.

Councilmember Russell moved to authorize the City Manager to have a barricade constructed to prevent vehicle traffic from using the cul-de-sac area on Red River. Councilmember Qourzal seconded and the motion passed unanimously.

WOODWAY CITY COUNCIL MINUTES

Page 3

April 12, 2021 – 5:30 p.m.

by the Councilmembers present.

EXECUTIVE SESSION

9. NOTICE IS HEREBY GIVEN THAT A CLOSED MEETING WILL BE HELD PURSUANT TO *SECTION 551.072 OF THE GOVERNMENT CODE (V.C.T.A.)* TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY IF DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON

Mayor Kittner closed the open meeting at 6:52 p.m.

Mayor Kittner reconvened the open meeting at 7:01 p.m.

OPEN SESSION AND RELATED ACTION

10. DISCUSSION AND CONSIDER ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS TO SELL THE FORMER CARLEEN BRIGHT HOUSE LOCATED AT 7600 OLD MCGREGOR ROAD, WOODWAY, TEXAS

Councilmember Russell moved to accept the offer of Richard Hess for the purchase of the former Carleen Bright house located at 7600 Old McGregor Road, Woodway, Texas. Councilmember Qourzal seconded and the motion passed unanimously by the Councilmembers present.

CONSENT AGENDA

11. A. DISCUSSION AND CONSIDER ACTION ON MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD MARCH 22, 2021, AT 5:30 P.M.
- B. DISCUSSION AND CONSIDER ACTION ON RESOLUTION R-21-03, REGARDING THE APPLICATION OF ATMOS ENERGY CORPORATION - MIDTEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO CONTINUE TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE "ATMOS TEXAS MUNICIPALITIES"

Dr. Oubre provided information on Item B. No items were removed for individual discussion.

12. DISCUSSION AND CONSIDER ACTION ON CONSENT AGENDA

Mayor Pro Tem Sober moved that the Consent Agenda be approved as follows:

- A. Approve the minutes of the regular City Council meeting held March 22, 2021, at 5:30 p.m.
- B. Adopt Resolution R-21-03 suspending the effective date of the application of Atmos Energy Corporation – Midtex Division, to increase rates under the Gas Reliability Infrastructure Program for forty-five (45) days to let

WOODWAY CITY COUNCIL MINUTES

Page 4

April 12, 2021 – 5:30 p.m.

the two parties settle out.

Councilmember Qourzal seconded the motion and the motion passed unanimously by the Councilmembers present.

CITY MANAGER AND CITY COUNCIL REPORTS

13. CITY MANAGER'S REPORT

Mr. Oubre provided updates on the following:

- Update provided earlier by Mr. Norman on the sewer project, streets project and the Highway 84 pump station project
- The February freeze cost to the City and covered expenses by TML.
- 2021/2022 budget planning process

14. CITY COUNCIL REPORTS

Councilmember Giddings provided that the Youth Commission met last week. They are unable to have their annual Bound for the Brave race but will have a fundraiser with the proceeds going to families of fallen police officers. Their goal is \$15,000.00. He would like to encourage the Councilmembers to donate to this fundraiser.

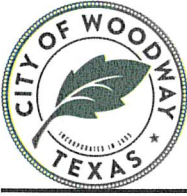
CLOSING ITEM

15. CONSIDER ACTION ON ADJOURNMENT

Councilmember Qourzal moved to adjourn the meeting. Councilmember Russell seconded the motion, and the motion passed unanimously by the Councilmembers present. The meeting adjourned at 7:11 p.m.

Donna Barkley, City Secretary

Jane Kittner, Mayor



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: William Klump, Finance Director

Approved By:

Shawn Aubrey By: JB

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☐ Individual Discussion/Action
- ☒ Consent
- ☐ Executive Session

Caption:

Discussion and consider action on approving expenditure in the amount of \$35,285.78 to RBDR Architects for designs and civil engineering/surveying charges for a new Woodway Family Center.

Background Information:

On November 18, 2019 the Council directed staff to move forward with exploring plans for a new Woodway Family Center. The City engaged RBDR Architects to design a new Woodway Family Center, and on September 28, 2020 Dr. Caballero presented Council with designs by RBDR Architects. There were further discussions with the Council on March 22, 2021 and April 12, 2021. The attached invoice from RBDR Architects for designs and civil engineering/surveying charges for a new Woodway Family Center is due on May 8, 2021. The total amount of the invoice is \$35,285.78, which includes designs for \$13,500.00, civil engineering/surveying charges for \$21,500.00, and reimbursable expenses for \$285.78. We are bringing this expenditure to Council for approval due to the total amount of services exceeding the City Manager's \$25,000.00 approval limit.

Financial Impact:

Total of Proposed Expenditure:	\$ 35,285.78
Amount Budgeted:	\$ 0.00
Account No.:	# 310-4603-4637201
If not budgeted, other funding options:	Family Center Construction Fund

Staff Recommendation:

Authorize expenditure in the amount of \$35,285.78 to RBDR Architects for designs and civil engineering/surveying charges for a new Woodway Family Center.



RBDR, PLLC
 913 Franklin Ave., Suite 100
 Waco, TX 76701

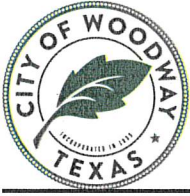
INVOICE

DATE	INVOICE #
4/8/2021	5243

BILL TO:

City of Woodway
 Lenny Caballero
 922 Estates Dr.
 Woodway, TX 76712

P.O. NO. / W.O. NO.	TERMS	DUE DATE	PROJECT	PROJECT NO.
	Net 30	5/8/2021	19109 Woodway Family Center	19109
DESCRIPTION				AMOUNT
For professional services rendered thru 03/31/2021 The scope of work for this "Phase I" of the project is to provide the City of Woodway with a schematic site plan, schematic floor plan and three dimensional digital presentation model for the City of Woodway to utilize in promoting the project to City Council and the general public as needed. Fee for services outlined above services is based on a fixed fee amount of \$13,500.00 Total amount of fee now due: \$13,500.00 Less previous invoices: <\$0.00> Amount of fee due this invoice:				13,500.00
Consulting Fee: Civil engineering/Surveying charges				21,500.00
Reimbursable Expenses: Printing and reproduction - presentation boards, etc.				285.78
Total				\$35,285.78



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: Mitch Davison

Approved By: Shawn Aubrey Byler

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☐ Individual Discussion/Action
- ☒ Consent
- ☐ Executive Session

Caption:

Discussion and consider action on adopting Resolution R-21-04, finding that Oncor Electric Delivery Company LLC's Application for Approval to Amend its Distribution Cost Recovery Factor to Increase Distribution Rates within the City should be Denied; Authorizing Participation with OCSC; Authorizing the Hiring of Legal Counsel and Consulting Services; Finding that the City's Reasonable Rate Case Expenses shall be Reimbursed by the Company.

Background Information:

On April 8, 2021, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in total distribution revenue requirement by approximately \$97,826,277.

The resolution authorizes the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Financial Impact:

Total of Proposed Expenditure: N/A

Amount Budgeted:

Account No.:

If not budgeted, other funding options:

Staff Recommendation:

Adopt Resolution R-21-04 finding that Oncor Electric Delivery Company LLC's Application for Approval to Amend its Distribution Cost Recovery Factor to Increase Distribution Rates within the City should be Denied; Authorizing Participation with OCSC; Authorizing the Hiring of Legal Counsel and Consulting Services; Finding that the City's Reasonable Rate Case Expenses shall be Reimbursed by the Company.



816 Congress Avenue, Suite 1900
Austin, Texas 78701
Telephone: (512) 322-5800
Facsimile: (512) 472-0532
www.lglawfirm.com

Mr. Brocato's Direct Line: (512) 322-5890
Email: tbrocato@lglawfirm.com

MEMORANDUM

TO: Steering Committee of Cities Served by Oncor (OCSC)
FROM: Thomas Brocato
DATE: April 9, 2021
RE: Oncor – Distribution Cost Recovery Factor (“DCRF”) filing

CONFIDENTIAL/ATTORNEY-CLIENT COMMUNICATION
CITY ACTION REQUIRED NO LATER THAN JUNE 7, 2021

On April 8, 2021, Oncor Electric Delivery Company LLC (“Oncor” or “Company”) filed an Application for Approval to Amend its Distribution Cost Recovery Factor. In the filing, the Company is seeking an increase in its total distribution revenue requirement by approximately \$97,826,277.

OCSC has engaged the services of a consultant, Mr. Karl Nalepa, to review the Company's filing. Mr. Nalepa will review the filing and identify adjustments that should be made to the Company's request. We are recommending that Cities deny the requested relief.

The Public Utility Commission of Texas's rules allow cities 60 days to act on this application. That deadline is June 7, 2021. **Accordingly, we request that each city schedule the draft resolution attached to this memorandum for consideration at their next council meeting.**

If you have any concerns or question please do not hesitate to contact me at (512) 322-5857, or tbrocato@lglawfirm.com. We appreciate your continued support.

MODEL STAFF REPORT REGARDING ONCOR'S DISTRIBUTION COST RECOVERY FACTOR FILING

On April 8, 2021, Oncor Electric Delivery Company LLC ("Oncor" or "Company") filed an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF") to Increase Distribution Rates with each of the cities in their service area. In the filing, the Company asserts that it is seeking an increase in total distribution revenue requirement by approximately \$97,826,277.

The resolution authorizes the City to join with the Steering Committee of Cities Served by Oncor ("OCSC") to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement, to pursue.

Purpose of the Resolution:

The purpose of the Resolution is to deny the DCRF application proposed by Oncor.

Explanation of "Be It Resolved" Paragraphs:

1. This section authorizes the City to participate with OCSC as a party in the Company's DCRF filing, PUC Docket No. 51996.
2. This section authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with the Company, and make recommendations to the City regarding reasonable rates. Additionally, it authorizes OCSC to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the PUC.
3. This paragraph finds that the Company's application is unreasonable and should be denied.
4. This section states that the Company's current rates shall not be changed.
5. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants approved by OCSC will submit monthly invoices that will be forwarded to Oncor for reimbursement.
6. This section recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
7. This section provides that Oncor and counsel for OCSC will be notified of the City's action by sending a copy of the approved and signed Resolution to counsel.

RESOLUTION NO. R-21-04

A RESOLUTION OF THE CITY OF WOODWAY, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH OCSC; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Woodway, Texas ("City") is an electric utility customer of Oncor Electric Delivery Company LLC ("Oncor" or "Company") with an interest in the rates and charges of Oncor; and

WHEREAS, the Steering Committee of Cities Served by Oncor ("OCSC") is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 8, 2021, Oncor filed with the Commission an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 51996, seeking to increase its total distribution revenue requirement by approximately \$97,826,277; and

WHEREAS, the City of Woodway will cooperate with OCSC in coordinating their review of Oncor's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company's filing; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if Oncor's Application is granted; and

WHEREAS, working with the OCSC to review the rates charged by Oncor allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, OCSC's members and attorneys recommend that members who have retained original jurisdiction over electric utility rates deny Oncor's DCRF.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODWAY, TEXAS:

SECTION 1. That the City is authorized to participate with OCSC in Commission Docket No. 51996.

SECTION 2. That, subject to the right to terminate employment at any time, the City of Woodway hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal Oncor's DCRF application.

SECTION 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits should be denied.

SECTION 4. That the Company should continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution, and within 30 days of presenting monthly bills to Oncor thereafter.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

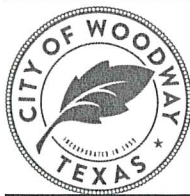
SECTION 7. That a copy of this Resolution shall be sent to J. Michael Sherburne, Vice President – Regulatory, Oncor Electric Delivery Company LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202; to Tab R. Urbantke, Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 7520; and to Thomas Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or tbrocato@lglawfirm.com.

PASSED, APPROVED AND ADOPTED on this 26th day of April, 2021.

Jane Kittner, Mayor

ATTEST:

Donna Barkley, City Secretary



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: Bret Crook

Approved By:

Shawn Aubrey *By: BCB*

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☐ Individual Discussion/Action
- ☒ Consent
- ☐ Executive Session

Caption:

Discussion and consider action on approving the purchase and installation of an emergency warning siren near new development around Ritchie and Old McGregor Road.

Background Information:

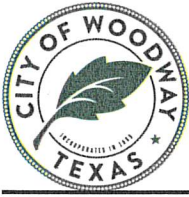
The Woodway Public Safety Department currently has 5 emergency warning sirens strategically placed throughout the city. With the current development of a very large residential community on Old McGregor and Ritchie Road, we need to install an additional siren on the south side of US Highway 84. Currently, all of the city's sirens are installed on the north side of US Highway 84. This additional siren will ensure that all of the city is covered under the same system which is operated by the City of Woodway. This would also include coverage over towards LeHigh Cement property in the event of future development in the old rock quarry. American Communications is our current service provider for the existing system and has provided a price of \$30,000 to install.

Financial Impact:

Total of Proposed Expenditure:	\$ 30,000
Amount Budgeted:	\$ 30,000
Account No.:	#302-4304-4347201 Project #30210

If not budgeted, other funding options:

Staff Recommendation: Staff recommends approving the purchase and installation of an emergency warning siren near new development around Ritchie and Old McGregor Road from American Communications.



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: Donna Barkley

Approved By: Shawn Aubrey ByOB

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☐ Individual Discussion/Action
- ☒ Consent
- ☐ Executive Session

Caption:

Discussion and consider action on Resolution R-21-05, declaring property excess to the City's needs and authorizing the disposal of same.

Background Information:

The City has the following items to be declared excess property:

Public Safety Department – Miscellaneous scrap metal from the training grounds.

The Carleen Bright Arboretum –

- 1 Shredder, Modern Attachments/Manufacturing brand
- 1 50" Vizio V Series television, Model #V505-h19
- 2 old end table lamps
- 1 brown desk
- 1 brown 3' cabinet
- 5 old wooden chairs
- 2 old wood and cloth decorative chairs
- 2 brown end tables with circular glass tops
- 1 wooden round coffee table with glass insert
- 1 couch

Resolution R-21-05 declares the above-described property as excess to the City's needs, and directs that the property be disposed of as the department deems appropriate and in the best interest of the City.

Financial Impact:

Total of Proposed Expenditure: \$

Amount Budgeted: \$

Account No.:

If not budgeted, other funding options:

Staff Recommendation:

Adopt Resolution R-21-05, declaring property excess to the City's needs and authorizing the disposal of same in the best interest of the City of Woodway.

RESOLUTION R-21-05

WHEREAS, certain property has become excess to the City's needs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WOODWAY, TEXAS:

That the property listed below is declared excess to the City's needs.

The Public Safety Department has the following items:

Miscellaneous scrap metal from the training grounds.

The Carleen Bright Arboretum has the following items:

1 Shredder, Modern Attachments/Manufacturing brand, 1 50" Vizio V Series television, Model #V505-h19, 2 old end table lamps, 1 brown desk, 1 brown 3' cabinet, 5 old wooden chairs, 2 old wooden and cloth decorative chairs, 2 brown end tables with circular glass tops, 1 wooden round coffee table with glass insert and couch.

That the City staff is hereby directed to dispose of the property as deemed appropriate and in the best interest of the City of Woodway.

That it is hereby officially found and determined that the meeting at which this Resolution is adopted was noticed and has been open to the public as required by law.

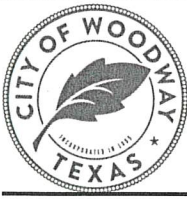
PASSED AND APPROVED this the 26th day of April 2021.

CITY OF WOODWAY, TEXAS

Jane Kittner, Mayor

ATTEST:

Donna Barkley, City Secretary



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: William Klump, Finance Director

Approved By:

Shawn Oubre By RB

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☐ Individual Discussion/Action
- ☒ Consent
- ☐ Executive Session

Caption:

Discussion and consider action approving rate increase of two percent (2%) to the base residential rate for year five (5) of the service contract between the City and Frontier Access, LLC for waste collection

Background Information:

Attached is a letter from Frontier Access, LLC requesting a two percent (2%) increase to the base residential rate for year five (5) of the contract. The contract locked in a rate of nine dollars and seventy-five cents (\$9.75) per month throughout the first three (3) years of the contract. The contract allows Frontier Access, LLC to request a two percent (2%) increase for years four (4) and five (5), which they are requesting for year five (5). This increase will add twenty cents (\$.20) to the monthly rate. This will amount to an increase of \$720.80 per month or \$8,649.60 per year based on our average house count of 3,604. It will be necessary to pass this increase on to our residents by increasing our residential rates in the FY 2022 budget. The last time we increased our residential rates was in October of 2020.

Financial Impact:

Total of Proposed Expenditure: \$

Amount Budgeted: \$

Account No.:

If not budgeted, other funding options:

Staff Recommendation:

Approve a rate increase of two percent (2%) to the base residential rate for year five (5) of the service contract between the City and Frontier Access, LLC for waste collection.



P.O. Box 1283 • Hillsboro, TX 76645
1-888-854-2905 • www.frontierwaste.com

Shawn Oubre
City Manager
City of Woodway
922 Estates Drive
Woodway, TX 76712

Date: April 9, 2021

Re: Residential base price increase request

Mr. Oubre,

Per Section XI. CONSIDERATION, of the service contract dated 6/1/2017 between Frontier Access, LLC. and the city of Woodway, I respectfully request a two percent (2%) increase to the base residential rate of nine dollars and ninety-five cents (\$9.95) for year five (5) of the contract.

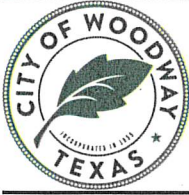
If this increase is approved, it will go into effect on June 1, 2021 in addition to the increase in commercial and roll-off rates that is scheduled to automatically increase June 1, 2021.

If you have any questions or need additional information, please feel free to contact me at 940-453-8839.

Best Regards,

A handwritten signature in black ink, appearing to be "TH", is written over a horizontal line.

Tim Henderson
Vice President
Frontier Waste Solutions
thenderson@frontierwaste.com



CITY COUNCIL AGENDA ITEM FORM

Meeting Date: April 26, 2021

Prepared By: Donna Barkley

Approved By: Shawn Auble By DB

- ☐ Presentation, Report and/or Discussion Only
- ☐ Public Hearing/Related Action
- ☐ Individual Discussion/Action
- ☒ Consent
- ☐ Executive Session

Caption: Discussion and consider action on consent agenda

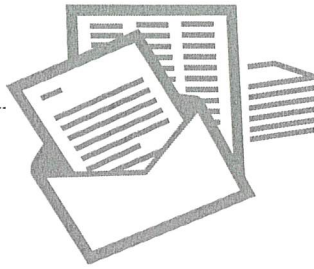
Background Information:

The following items are included on the consent agenda:

- A. Discussion and consider action on minutes of the regular City Council meeting held April 12, 2021, at 5:30 p.m.
- B. Discussion and consider action on approving expenditure in the amount of \$35,285.78 to RBDR Architects for designs and civil engineering/surveying charges for a new Woodway Family Center
- C. Discussion and consider action on adopting Resolution R-21-04, finding that Oncor Electric Delivery Company LLC's Application for Approval to Amend its Distribution Cost Recovery Factor to Increase Distribution Rates within the City should be Denied; Authorizing Participation with OCSC; Authorizing the Hiring of Legal Counsel and Consulting Services; Finding that the City's Reasonable Rate Case Expenses shall be Reimbursed by the Company
- D. Discussion and consider action on approving the purchase and installation of an emergency warning siren near new development around Ritchie and Old McGregor Road
- E. Discussion and consider action on Resolution R-21-05, declaring property excess to the City's needs and authorizing the disposal of same
- F. Discussion and consider action approving rate increase of two percent (2%) to the base residential rate for year five (5) of the contract between the City and Frontier Access, LLC for waste collection

Financial Impact: Please see individual items on consent agenda.

Staff Recommendation: Approve all items on the consent agenda, as presented.



MISCELLANEOUS ITEMS FOR COUNCIL

Distributed with April 26, 2021 City Council Meeting Packet

- Tentative list of agenda items for future meetings

Upcoming Calendar Items of Interest

- Monday, April 26	City Council Nominating Committee – 4:30 p.m. – City Manager’s Conference Room at City Hall
- Monday, April 26	Regular City Council meeting – 5:30 p.m. – In-Person/Virtual
- Monday, May 10	Regular City Council meeting – 5:30 p.m. – In-Person/Virtual
- Monday, May 24	Regular City Council meeting – 5:30 p.m. – In-Person/Virtual
- Monday, May 31	Memorial Day holiday for city employees

PENDING AGENDA ITEMS

WOODWAY CITY COUNCIL AND PLANNING/ZONING COMMISSION

(Updated 4/21/21)

This is a tentative planning calendar utilized to assist the City Secretary to compile draft meeting agendas.

DATE	CITY COUNCIL ITEMS	DATE	PLANNING & ZONING ITEMS
		04/27/21	- PH, D & CA – Zoning Change Request and recommendation – 38.686 acres in the Peter J. Menard Survey...field notes
05/10/21	<ul style="list-style-type: none"> - Administer Oath of Office to newly elected Councilmembers - Elect Mayor - Elect Mayor Pro Tem - D & CA on Res. Designation Robert's Rules of Order Newly Revised (Twelfth Edition) - Recognition of Woodway Youth Commission members and recognition of graduating seniors - D & CA on annual appointments & reappointments to the Woodway boards and commissions - PH, D & CA – Zoning Change Request and Ordinance – 38.686 acres in the Peter J. Menard Survey...field notes - D & CA on Bush Drive improvements 	05/11/21	<ul style="list-style-type: none"> - D & CA on Preliminary Replat of Lot 31R, Block A, Rainbow Lake Addition - D & CA on final plat Lots 6 & 7, Block 8 Woodway Center Addition
05/24/21	<ul style="list-style-type: none"> - Presentation recognizing the City of Woodway as a founding member of TCAP - Award of Bid for Micro Surfacing - D & CA on final plat Lots 6 & 7, Block 8 Woodway Center Addition 	05/25/21	

RECURRING COUNCIL ITEMS:

- January/April/July/October (first meeting of the month) - Quarterly presentations - Public Safety and Community Services
- January/April/July/October (second meeting of the month) - Quarterly presentation - Finance
- January/July (second Council meeting of the month) - Semi-annual presentations - Carleen Bright Arboretum and Woodway Family Center
- PH, D&CA on continuation of youth curfew - Mandatory every three years - Requires ordinance (Next - 09/2022)
- Woodway Public Safety Association Day proclamation - Annually at the meeting prior to the annual barbecue
- Appointment of Judges to Municipal Court of Record every two years (Next – 09/2022)

RECURRING P&Z ITEMS: Every six months - Update to P&Z from Building Official regarding current PUD projects (Next 8/2021)